

Committee GO

Staff: Robert H. Drummer, Senior Legislative Attorney Purpose: To introduce agenda item – no vote expected

Keywords: #InspectorGeneralStaff

AGENDA ITEM #5D December 3, 2019 Introduction

SUBJECT

Expedited Bill 40-19, Inspector General – Staff - Amendments Lead Sponsor: Council President Navarro, Councilmember Friedson and Council Vice President Katz (GO Committee)

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

• To introduce Bill – no vote expected.

DESCRIPTION/ISSUE

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a merit employee.

SUMMARY OF KEY DISCUSSION POINTS

• The operation of the Office of the Inspector General.

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MEMORANDUM

November 27, 2019

TO:

County Council

FROM:

Robert H. Drummer, Senior Legislative Attorney

SUBJECT:

Expedited Bill 40-19, Inspector General - Staff - Amendments

PURPOSE:

Introduction - no Council votes required

Expedited Bill 40-19, Inspector General – Staff - Amendments, sponsored by Lead Sponsors Council President Navarro, Councilmember Friedson and Council Vice President Katz (GO Committee), is scheduled to be introduced on December 3, 2019. A public hearing is tentatively scheduled for January 14, 2020 at 1:30 p.m.¹

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a merit employee. Under current law the Inspector General must hire each staff member as a term merit employee with a maximum term that ends at the same time as the 4-year term of the Inspector General. This requires a new Inspector General to start her term with no existing staff members or institutional experience. It also makes it more difficult to recruit staff when an Inspector General is appointed to either a new term or to complete the term of an Inspector General who leaves early.

Bill 40-19 would create a middle ground for the appointment of staff. The Inspector General would be required to appoint one or more deputies as a term merit employee but would be permitted to hire all other staff as merit employees. The Bill would require existing term merit staff members to continue in that status until their current term ends. They could be rehired as a merit employee after the end of their term. The Inspector General could fill new vacancies under the Bill as soon as the law takes effect.

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¹#InspectorGeneralStaff

Expedited Bill	No 40-19
Concerning: _	Inspector General - Staff -
Amendme	
Revised: Nove	ember 19, 2019 Draft No.1
	December 3, 2019
Expires:	June 3, 2021
Enacted:	[date]
Executive:	[date signed]
Effective:	[date takes effect]
Sunset Date:	None
Ch. [#] , La	ws of Mont. Co. [vear]

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Council President Navarro, Councilmember Friedson and Council Vice-President Katz.

AN EXPEDITED ACT to:

- (1) authorize the Inspector General to hire one or more deputies as a term merit employee;
- (2) authorize the Inspector General to hire other staff of the Office as a merit employee; and
- (3) generally amend the law governing the staff of the Inspector General.

By amending

Montgomery County Code Chapter 2, Administration Section 2-151

Boldface Underlining [Single boldface brackets] Double underlining [[Double boldface brackets]] * * *	Heading or defined term. Added to existing law by original bill. Deleted from existing law by original bill. Added by amendment. Deleted from existing law or the bill by amendment. Existing law unaffected by bill.
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The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 2-151 is amended as follows:

2-151. Inspector General

(1)

(g) Staff; Legal Counsel.

The Inspector General may, subject to appropriation and all applicable merit system laws and regulations, appoint as <u>a</u> term <u>merit</u> [employees] <u>employee one or more deputies and each of</u> the <u>other</u> staff of the Office of the Inspector General <u>as a merit employee</u>. The term of each <u>deputy</u> [employee] should end when the next Inspector General takes office unless the Inspector General specifies a shorter term when appointing the <u>term merit</u> employee. The Inspector General may also, subject to appropriation, retain project staff or other consultants by contract. The Inspector General may, with the agreement of the head of any other government department or agency, temporarily detail an employee of that department or agency to the Office of the Inspector General.

*

Sec. 2. Transition.

A term merit employee who is employed in the Inspector General's Office when this law takes effect must continue as a term merit employee until the employee's term is completed.

Sec. 3. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

LEGISLATIVE REQUEST REPORT

Expedited Bill 40-19
Inspector General – Staff - Amendments

DESCRIPTION:

Bill 40-19 would authorize the Inspector General to hire one or more deputies as a term merit employee and other staff of the Office as a

merit employee.

PROBLEM:

Under current law the Inspector General must hire each staff member as a term merit employee with a maximum term that ends at the same time as the 4-year term of the Inspector General. This requires a new Inspector General to start her term with no existing staff members or institutional experience. It also makes it more difficult to recruit staff when an Inspector General is appointed to either a new term or to

complete the term of an Inspector General who leaves early.

GOALS AND OBJECTIVES:

To improve the operation of the Office of Inspector General.

COORDINATION:

Inspector General

FISCAL IMPACT:

To be provided

ECONOMIC

IMPACT:

To be provided

EVALUATION:

To be provided

EXPERIENCE

ELSEWHERE:

Unknown

SOURCE OF

INFORMATION:

Robert H. Drummer, Senior Legislative Attorney

APPLICATION

WITHIN

MUNICIPALITIES:

PENALTIES:

N/A

N/A

 $F: LAW \setminus BILLS \setminus 1940 \ Inspector \ General - Staff - Amendments \setminus LRR. Docx$