

Expedited Bill No. 37-10  
Concerning: Ethics – Ethics Commission  
– Staff  
Revised: 6/11/10 Draft No. 4  
Introduced: June 15, 2010  
Enacted: July 20, 2010  
Executive: July 29, 2010  
Effective: July 29, 2010  
Sunset Date: None  
Ch. 38, Laws of Mont. Co. 2010

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Management and Fiscal Policy Committee

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**AN EXPEDITED ACT to:**

- (1) revise the process to appoint and remove staff for the Ethics Commission;
- (2) require the Commission staff director to be an attorney;
- (3) modify how the Commission may receive legal advice and services;
- (4) exempt staff of the Commission from any collective bargaining unit; and
- (5) generally amend County law related to the Ethics Commission.

By amending

Montgomery County Code  
Chapter 19A, Ethics  
Section 19A-5

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*



28 County Attorney may employ special legal counsel to the  
 29 Commission under Section 213 of the Charter.] The County  
 30 Attorney must provide an attorney to prosecute a case before the  
 31 Commission under Section 19A-10 unless the Commission  
 32 assigns or retains a different attorney or other staff member to  
 33 perform that function. An individual attorney in the office of the  
 34 County Attorney who is assigned to provide general legal advice  
 35 to the Commission must not be an investigator under Section  
 36 19A-9 or prosecute a case before the Commission under Section  
 37 19A-10 for one year after the attorney's Ethics Commission  
 38 assignment ends.

39 \* \* \*

40 **Sec. 2. Section 33-102 is amended as follows:**

41 **33-102. Definitions.**

42 The following terms have the meaning indicated when used in this [article]  
 43 Article:

44 \* \* \*

45 (4) *Employee* means any person who works for the County  
 46 government, except:

47 \* \* \*

48 (G) an employee who works for:

- 49 (i) the Office of the County Executive;
- 50 (ii) the Office of the Chief Administrative Officer;
- 51 (iii) the County Council;
- 52 (iv) the Office of the County Attorney;
- 53 (v) the Office of Management and Budget;
- 54 (vi) the Office of Intergovernmental Relations;

- 55 (vii) the Office of Human Resources; [or]
- 56 (viii) the Merit System Protection Board; or
- 57 (ix) the Ethics Commission;

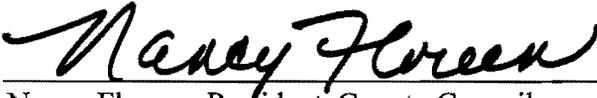
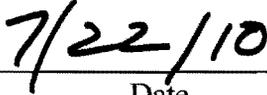
58 \* \* \*

59 **Sec. 3. Expedited Effective Date; Transition.**

60 The Council declares that this legislation is necessary for the immediate  
61 protection of the public interest. This Act takes effect on the date when it becomes  
62 law. The position of Executive Director of the Ethics Commission is abolished by  
63 operation of law on the date that the Commission appoints a staff director/chief  
64 counsel, as authorized by County Code Section 19A-5(f), as amended by Section 1 of  
65 this Act.

66 *Approved:*

67

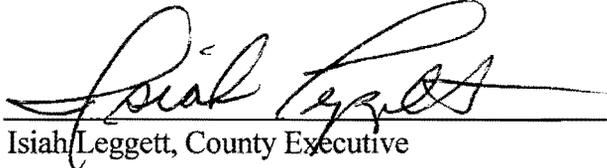
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69 Nancy Floreen, President, County Council Date

70 *Approved:*

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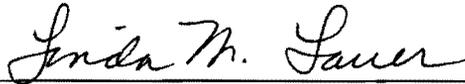
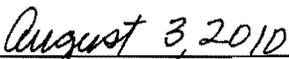
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73 Isiah Leggett, County Executive Date

74 *This is a correct copy of Council action.*

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77 Linda M. Lauer, Clerk of the Council Date