



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: June 1, 2023
Subject: Auditor's Review of Legislation for the June 5, 2023 Council Meeting

**Bill 19-23:
Public Safety – Bring Your
Own Bag Plastic
Reduction Act (As
Amended)**

Summary of Legislation

This bill prohibits the retail distribution of plastic bags in Anne Arundel County, defines certain terms, establishes the duties of certain retail establishments, makes a violation a Class C civil offense, provides for the enforcement of the prohibition on plastic bags, and provides for a delayed effective date.

We commented on this bill in our letters dated March 29, 2023, April 12, 2023, April 27, 2023, and May 10, 2023. At the May 15, 2023 Council meeting, this bill was amended to exclude certain businesses that sell or provide food for consumption on or off premises from the requirement to charge a minimum amount for paper carryout bags. This bill was also amended to fix an internal cross reference and to allow a retail establishment to provide reusable carryout bags to customers during a promotional period for up to 10 days per month. We have no further comments on this bill.

**Bill 25-23:
General Provisions –
Public Campaign
Financing (As Amended)**

Summary of Legislation

This bill establishes a public campaign financing system and provides that each fiscal year the County Executive will include in the proposed budget the amount calculated by the Public Campaign Financing System Commission as necessary to fully fund the system for the fiscal year.

We commented on this bill in our letter dated May 10, 2023. At the May 15, 2023 Council meeting, this bill was amended to delete the requirement that the public contribution limits and qualifying contribution limit be increased every four years by the average increase in the consumer price index. There was also a technical amendment to correct an error. We have no further comments on this bill.

**Bill 44-23:
Personnel – Public Ethics
– Public Safety – Classified
Service and Exempt
Service – Pay Schedules
and Positions**

Summary of Legislation

This bill makes various changes to classified and exempt service pay schedules and positions. Specifically, we noted this bill:

- removes allowances currently afforded to Police Communications Operators III/IV;
- affords Police Captains and Police Majors the same allowances provided to Police Sergeants;
- affords Animal Control Supervisor the same allowances provided to Animal Control Officer;
- provides that these allowances are retroactive to July 2022;
- adds the Fire Fighter/Emergency Medical Technician-Paramedic classification as an eligible classification for certain hiring preferences;
- alters the pay grade for Cashier II, Emergency Management Training and Exercise Coordinator and Fire Fighter/Emergency Medical Technician Paramedic;
- adds to the classified service twelve new classifications (Utilities Crew Leader I-III, Utilities Support Worker III classification, Legislative Analyst II, Senior Legislative Analyst, Deputy Auditor, Emergency Medical Technician-Paramedic classification in the ranks of Battalion Chief, Captain and Lieutenant, Senior Forensic Examiner and Recreations and Parks Project Manager) including pay grade, work week, and minimum qualifications;
- adds to the exempt service the classifications of Fire Deputy Chief and Administrative Assistant to the County Executive including pay grade, work week and minimum qualifications; and
- eliminates one Legislative Analyst I, one classified service Fire Deputy Chief, one Legislative Senior Secretary, and one Legislative Administrative Secretary upon vacancy.

This bill adds new pay schedules for certain classified and exempt employees, provides the method for certain classified employees to move to a new pay schedule, provides for increase in pay for certain employees, and provides for certain lump sum payments. This bill modifies advancement to new rate of pay for certain employees, reclassifications for certain employees, modifies pay upon promotion, disability leave pay for certain employees, annual leave accrual for certain employees, and education assistance for certain employees.

Review of Fiscal Impact

The fiscal impact of this bill is included in the fiscal year 2024 (FY24) Annual Budget and Appropriation Ordinance. The changes reflected in this bill are as follows:

- Salary increases of 5% COLA on July 1, 2023, and 3% merit on anniversary date for the following employee groups: NR, C-

Bill 44-23 (continued)

- 3, CO-3 through CO-4, D-5 through D-8, EL, EX, EE, E, ES, F-8 through F-9, LA, LM, OS, R-1 through R-2, and S-4;
- Salary increase of 5% COLA on July 1, 2023 for the employee group FW;
 - Salary increase of 2% COLA on January 1, 2024 for the employee group FW;
 - Salary increase varied through placement at the employees' current grade and step for the following employee groups: C-1 through C-2, D-1 through D-3, F-1 through F-7P, P-00 through P-4, and S-1 through S-3;
 - Salary increase of advancement of one step on anniversary date for the following employee groups: C-1 through C-2, D-1 through D-3, F-1 through F-7P, P-00 through P-4, and S-1 through S-3;
 - Deleting obsolete pay scales; and
 - Requiring that employees make at least the minimum rate of pay on the pay schedule.

Other changes to salary and benefits in this bill reflect the negotiated agreements. The negotiated agreements added for FY24 are:

- Memorandum of Agreement (MOA) between AA Co. and the Fraternal Order of Police, AA Co. Lodge #106, Inc. (Sheriffs) for FY2024;
- MOA between AA Co. and the Fraternal Order of AA Detention Center Officers and Personnel, Inc. for FY2024;
- MOA between AA Co. and the AA Co. Detention Sergeants Association International Union of Police Associations, Local 141, AFL-CIO for FY2024;
- MOA between AA Co. and Teamsters Union Local 355 Battalion Chiefs for FY2024;
- MOA between AA Co. and the Fraternal Order of Police, AA Co. Lodge 70 for FY2024;
- MOA between AA Co. and Local 1563 AA Co. Professional Fire Fighters, International Association of Fire Fighters, AFL-CIO-CLC for FY2024;
- MOA between AA Co. and the Teamsters Union Local 355 Park Rangers for FY2024;
- MOA between AA Co. and the Teamsters Union Local 355 Correctional Program Specialists for FY2024;
- MOA between AA Co. and Local 582 of the American Federation of State, County, and Municipal Employees AFL-CIO (affiliated with Maryland Public Employees Council 67) for FY2024;
- MOA between AA Co. and Local 2563 of the American Federation of State, County, and Municipal Employees AFL-CIO (affiliated with Maryland Public Employees Council 67) for FY2024; and
- MOA between AA Co. and the Teamsters Union Local 355 Police Communications Operator for FY2024.

Bill 44-23 (continued)

The exempt and non-represented employee pay schedules are increasing by 5% for the minimum rate of pay and 11% for the maximum rate of pay. While the FY24 Proposed Budget includes a 3% merit increase for each employee on these pay scales, § 6-1-204(c) allows for an appointing authority to award increases not to exceed 10% of the pay that the employee is receiving at the time of the increase and § 6-1-204(b) requires that the appointing authority may award increases in pay to an employee at intervals no more frequently than once every fiscal year.

**Bill 45-23:
Public Safety – Traffic –
Vehicles on Sidewalks****Summary of Legislation**

This bill repeals a limitation on the time of day a disabled person may use a special vehicle on a sidewalk and allows state law to govern. State law dictates that an individual with a disability may use a special vehicle other than a wheelchair on sidewalks unless prohibited by local ordinance.

Review of Fiscal Impact

This bill has no direct fiscal impact.

**Resolution 19-23:
Appointing Members to
the Anne Arundel County
Ethics Commission****Summary of Legislation**

This resolution appoints Donna L. Rober and Amy Thomas to the Anne Arundel County Ethics Commission to serve terms expiring on April 30, 2027.

Review of Fiscal Impact

This resolution has no fiscal impact.

**Resolution 20-23:
Appointing a Member to
the Anne Arundel County
Adult Public
Guardianship Review
Board****Summary of Legislation**

This resolution appoints Deanna Morgan to the Anne Arundel County Adult Public Guardianship Review Board to serve a term expiring on July 7, 2025.

Review of Fiscal Impact

This resolution has no fiscal impact.

**Resolution 21-23:
Urging the County
Executive to Establish a
Workgroup to Review the
County's Public
Infrastructure Needs and
Capital Program Planning
Process**

Summary of Legislation

This resolution urges the County Executive to establish a workgroup to review the County's public infrastructure needs and capital program planning process. This workgroup is requested to include Executive Branch department heads, private sector participants engaged in the capital improvement program process, the County Auditor, and members of the County Council to analyze the current cost estimating process for the County's capital program, identify best practices employed by the capital programs in other jurisdictions, find cost savings tools to reduce the cost of public infrastructure projects, and research new federal, state, and non-County funding opportunities for public infrastructure projects.

Review of Fiscal Impact

This resolution urges, but does not require, establishment of this workgroup, and it does not identify any specific reporting requirements, therefore, it has no direct fiscal impact.
