Introduced	
Public Hearing	
Council Action	
Executive Action	
Effective Date	,

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 1

Bill No. 4 -2021

Introduced by the Chairperson at the request of the County Executive

AN ACT amending the timing for Fiscal Analysis provided by the County Auditor; providing that certain exceptions apply to Fiscal Analysis provided by the County Executive; and generally relating to the enactment of legislation.

Introduced and read first time - January 4, 2021. C	By order_	Diane Schwartz Jones, Administrator
Having been posted and notice of time & place of hearing & title second time at a public hearing on	of Bill havin , 2021.	
This Bill was read the third time on February 3		Diane Schwartz Jones, Administrator d Passed, Passed with amendments, Failed
Sealed with the County Seal and presented to the County Executi	ive for appro	Diane Schwartz Jones, Administrates proval thisday of, 2021 ata.m./p.m
	By order _	Diane Schwartz Jones, Administrator
Approved/Vetoed by the County Executive	, 2021	Calvin Ball County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; Text in small capitals indicates additions to existing law; Strike-out indicates material deleted by amendment; <u>Underlining</u> indicates material added by amendment.

1	WHEREAS, by passage of Council Bill No. 8-2020 and Council Bill No. 55-2020, the Council
2	adopted a process for Fiscal Analysis for Council-filed and Executive-filed legislation; and
3	
4	WHEREAS, the County Executive agrees that the hallmark of good government includes ensuring
5	open and transparent communication between the Executive and the Legislative branches; and
6	
7	WHEREAS, most of the surrounding counties, including Montgomery and Frederick already require
8	a fiscal note for legislation and Baltimore City is currently considering a fiscal impact analysis; and
9	
10	WHEREAS, having Fiscal Analysis completed and available to the public in a timely fashion will
11	assist the Council in making better informed decisions, potentially reduce the workload at the work
12	sessions, create a collaborative atmosphere where information is shared, and promote oversight that
13	builds public confidence in government decision making; and
14	
15	WHEREAS, furthermore, timely Fiscal Analysis provides the Council the best possible opportunity
16	to be better informed before the Council votes on any legislation that has a fiscal impact; and
17	
18	WHEREAS, for the above reasons, the timing for Fiscal Analysis submitted by the County Auditor
19	should be consistent with Fiscal Analysis for legislation submitted for introduction by the County
20	Executive; and
21	
22	WHEREAS, there may be extenuating circumstances, like the receipt of emergency funding, where
23	Fiscal Analysis may not be ready in time for the introduction of emergency legislation but would be read
24	shortly thereafter and the Code should account for this scenario with respect to legislation submitted by
25	the County Executive.
26	
27	NOW THEREFORE,
28	
29	Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard County
30	Code is hereby amended as follows:
31	
32	By amending:
33	Title 5 – County Council.
34	Subtitle 4. Miscellaneous.

1	Sec. 5.400. Fiscal analyses.
2	
3	HOWARD COUNTY CODE
4	Title 5 – County Council.
5	Subtitle 4. Miscellaneous.
6	
7	Sec. 5.400 Fiscal analyses.
8 .	(a) Scope of Section. This section applies to each bill, supplemental appropriation ordinance,
9	transfer of appropriation ordinance, an act with a fiscal impact on County finances, and a resolution
10	with a fiscal impact on County finances.
11	(b) Fiscal analysis. For purposes of this section, a fiscal analysis shall include:
12	(1) A summary of a bill or other legislation;
13	(2) An evaluation of the fiscal impact that a bill or other legislation would have on County
14	government operations, revenues, and spending; and
15	(3) An explanation of how the bill or other legislation will be implemented.
16	(c) In General.
17	(1) (i) Except as provided in paragraph (3) of this subsection, the County Executive shall
18	submit a fiscal analysis concurrently with each bill or other legislation that the County
19	Executive requests to be introduced by the County Council.
20	(ii) Except as provided in paragraph (3) of this subsection, the County Auditor must submit
21	a fiscal analysis to the County Council of each bill or other legislation under
22	consideration by the Council.
23	(2) A separate fiscal analysis is required for each bill or other legislation.
24	(3) This subsection does not apply to:
25	(i) the annual budget and appropriation ordinance of Howard County; or
26	(ii) a Resolution that appoints an individual to a board, commission, task force, or similar
27	body.
28	(d) Time for Submission by Auditor OR COUNTY EXECUTIVE.
29	(1) A fiscal analysis completed by the County Auditor OR THE COUNTY EXECUTIVE must be
30	submitted to the County Council PRIOR TO THE INTRODUCTION OF EACH BILL OR OTHER
21	LEGISLATION FOR CONSIDERATION BY THE COUNCIL [[on or before 5:00 p.m. on the

- Thursday before the public hearing for the legislation]], or the day the Council Chairperson sets to accommodate a holiday or other change in the normal schedule.
 - (2) If the County Auditor OR COUNTY EXECUTIVE cannot submit the fiscal analysis within the time required by paragraph (1) of this subsection, the Auditor OR COUNTY EXECUTIVE must notify the Council Chairperson in writing of the delay, the reason for the delay, and the revised delivery date. If the Council Chairperson finds that the revised delivery date is unreasonable, the Chairperson may set a different delivery deadline.
 - (e) Content of Fiscal Analysis. Each fiscal analysis must include the sources of information, assumptions, and methodologies used, a description of the variables that could affect fiscal estimates, and, if legislation is likely to have no fiscal impact, the reason for that conclusion.
- 11 (f) Publication.

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- 12 (1) At least one business day before the public hearing for the legislation, the County Council shall make each fiscal analysis freely available to the public.
- 14 (2) The County Council shall archive fiscal analyses in a way that allows easy access to the public.
- (g) Compliance. Council action on legislation that is otherwise valid is not invalid because of any
 failure to follow the requirements of this section.
- Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall
 become effective 61 days after its enactment.

Amendment 1 to Council Bill No. 4-2021

BY: The Chairperson at the request of the County Executive

Legislative Day 3
Date: February 1, 2021

Amendment No. 1

(This amendment:

- 1. Clarifies that the deadline of upon introduction is for Fiscal Analysis performed by the County Executive of Executive-sponsored legislation and performed by the County Auditor of Council-sponsored legislation;
- 2. Allows for certain exemptions if the County Auditor is unable to obtain information to perform the Fiscal Analysis;
- 3. Clarifies that there is a different deadline for the Fiscal Analysis performed by the County Auditor of Executive-sponsored legislation;
- 4. Clarifies that the exception to provide a Fiscal Analysis by the required deadline only applies to legislation submitted under Section 209(d) of the Howard County Charter; and
- 5. Requires posting of the Fiscal Analysis within a certain time after submission.)
- 1 On page 2, in line 17, after "subsection," insert " FOR LEGISLATION INTRODUCED ON BEHALF OF
- 2 THE COUNTY EXECUTIVE,".

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4 On page 2, in line 20, after "subsection," insert " FOR LEGISLATION INTRODUCED BY ONE OR MORE

- 5 <u>County Council members,</u>".
- 7 On page 2, in line 28, strike "OR COUNTY EXECUTIVE".
- 9 On page 2, after line 28, insert:
- "(1) A FISCAL ANALYSIS REQUIRED BY SUBSECTION (C)(1)(II) OF THIS SECTION SHALL BE

 SUBMITTED PRIOR TO INTRODUCTION OF THE LEGISLATIVE ITEM, EXCEPT IF THE COUNTY

 AUDITOR HAS NOT RECEIVED THE INFORMATION FROM THE COUNTY EXECUTIVE NEEDED

 TO PREPARE A FISCAL ANALYSIS ON LEGISLATION INTRODUCED BY ONE OR MORE COUNTY

 COUNCIL MEMBERS AT LEAST SEVEN BUSINESS DAYS BEFORE THE FISCAL ANALYSIS IS

 DUE, THE FISCAL ANALYSIS IS DUE IN ACCORDANCE WITH PARAGRAPH (2) OF THIS

 SUBSECTION."

1	
2	On page 2, in line 29:
3	1. Strike "(1)" and substitute "(2)";
4	2. After "Auditor" insert "OF LEGISLATION INTRODUCED ON BEHALF OF THE COUNTY
5	Executive";
6	3. Strike "OR THE COUNTY EXECUTIVE".
7	
8	On page 2, in line 30, strike "PRIOR TO THE INTRODUCTION OF EACH BILL OR OTHER".
9	
10	On page 2, in line 31, strike "OR OTHER LEGISLATION FOR CONSIDERATION BY THE COUNCIL [["
11	
12	On page 3, in line 1, strike "]]".
13	
14	On page 3, in line 3, strike "(2) If" and substitute "(3) FOR LEGISLATION FILED UNDER SECTION
15	209(d) of the Howard County Charter, if".
16	
17	On page 3, in line 12, strike "At" and substitute "A FISCAL ANALYSIS SHALL BE POSTED TO THE
18	COUNCIL WEBSITE WITHIN 24 HOURS OF SUBMISSION. IF SECTION (D)(2) OF THIS SECTION APPLIES
19	AT".

ADOPTED R/3/2/
FAILED
SIGNATURE

Amendment 1 to Council Bill No. 4-2021

BY: The Chairperson at the request of the County Executive

Legislative Day 3
Date: February 1, 2021

Amendment No. 1

(This amendment:

- 1. Clarifies that the deadline of upon introduction is for Fiscal Analysis performed by the County Executive of Executive-sponsored legislation and performed by the County Auditor of Council-sponsored legislation;
- 2. Allows for certain exemptions if the County Auditor is unable to obtain information to perform the Fiscal Analysis;
- 3. Clarifies that there is a different deadline for the Fiscal Analysis performed by the County Auditor of Executive-sponsored legislation;
- 4. Clarifies that the exception to provide a Fiscal Analysis by the required deadline only applies to legislation submitted under Section 209(d) of the Howard County Charter; and
- 5. Requires posting of the Fiscal Analysis within a certain time after submission.)
- On page 2, in line 17, after "subsection," insert " FOR LEGISLATION INTRODUCED ON BEHALF OF
- 2 <u>THE COUNTY EXECUTIVE</u>,".
- 4 On page 2, in line 20, after "subsection," insert " FOR LEGISLATION INTRODUCED BY ONE OR MORE
- 5 <u>County Council members,</u>".
- 7 On page 2, in line 28, strike "OR COUNTY EXECUTIVE".
- 9 On page 2, after line 28, insert:
- 10 "(1) A FISCAL ANALYSIS REQUIRED BY SUBSECTION (C)(1)(II) OF THIS SECTION SHALL BE
- 11 SUBMITTED PRIOR TO INTRODUCTION OF THE LEGISLATIVE ITEM, EXCEPT IF THE COUNTY
- 12 AUDITOR HAS NOT RECEIVED THE INFORMATION FROM THE COUNTY EXECUTIVE NEEDED
- 13 TO PREPARE A FISCAL ANALYSIS ON LEGISLATION INTRODUCED BY ONE OR MORE COUNTY
- 14 COUNCIL MEMBERS AT LEAST SEVEN BUSINESS DAYS BEFORE THE FISCAL ANALYSIS IS DUE
- 15 IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION."

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1	On page 2, in line 29:
2	1. Strike "(1)" and substitute "(2)";
3	2. After "Auditor" insert "OF LEGISLATION INTRODUCED ON BEHALF OF THE COUNTY
4	Executive";
5	3. Strike "OR THE COUNTY EXECUTIVE".
6	
7	On page 2, in line 30, strike "PRIOR TO THE INTRODUCTION OF EACH BILL OR OTHER".
8	·
9	On page 2, in line 31, strike "OR OTHER LEGISLATION FOR CONSIDERATION BY THE COUNCIL [["
10	
11	On page 3, in line 1, strike "]]".
12	
13	On page 3, in line 3, strike "(2) If" and substitute "(3) FOR LEGISLATION FILED UNDER SECTION
14	209(d) of the Howard County Charter, if".
15	
16	On page 3, in line 12, strike "At" and substitute "A FISCAL ANALYSIS SHALL BE POSTED TO THE
17	COUNCIL WEBSITE WITHIN 24 HOURS OF SUBMISSION. IF SECTION (D)(2) OF THIS SECTION APPLIES
18	<u>AT</u> ".

ADSPTED 2/3/2/
FAILED SIGNATURE

Amendment 1 to Amendment 1 to Council Bill No. 4-2021

BY: The Chairperson at the request of the County Executive

(j

Legislative Day 3
Date: February 1, 2021

Amendment No. 1 to Amendment 1

(This amendment clarifies that the deadline may be extended upon notification to the Council Chairperson if the County Auditor does not receive information from the County Executive.)

- 1 In the description, strike number 4 and substitute:
- 2 "4. Clarifies that the exception to provide a Fiscal Analysis by the required deadline applies to
- 3 legislation submitted under Section 209(d) of the Howard County Charter or Fiscal Analysis for
- 4 which the County Auditor does not receive information; and"
- 6 On page 1, in line 11, insert a period after "ITEM" and strike beginning with ", EXCEPT" down
- 7 through and including "SUBSECTION." in line 15.
- 9 On page 2, in line 14, strike "CHARTER, IF" AND SUBSTIUTE "CHARTER OR IF".
- On page 2, in line 15 insert:

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- "On page 3, in line 3, after "Auditor", strike "OR COUNTY EXECUTIVE" and substitute "CANNOT
- 13 COMPLETE A FISCAL ANALYSIS BECAUSE THE AUDITOR DID NOT RECEIVE INFORMATION FROM THE
- 14 COUNTY EXECUTIVE TO PREPARE THE FISCAL ANALYSIS AND"".

TAILED 2/3/2/ VAIGNATURE

Amendment 2 to Amendment 1 to Council Bill No. 4-2021

BY: The Chairperson at the request of the County Executive

Legislative Day 3
Date: February 1, 2021

Amendment No. 2 to Amendment 1

(This amendment corrects grammar.)

On page 1, in line 14, after "BEFORE" insert "THE FISCAL ANALYSIS IS DUE,".

ADOPTED 2/3/2/ FAILED SIGNATURE

Amendment 1 to Council Bill No. 4-2021

BY: The Chairperson at the request of the County Executive

Legislative Day 3
Date: February 1, 2021

Amendment No. 1

(This amendment:

- 1. Clarifies that the deadline of upon introduction is for Fiscal Analysis performed by the County Executive of Executive-sponsored legislation and performed by the County Auditor of Council-sponsored legislation;
- 2. Allows for certain exemptions if the County Auditor is unable to obtain information to perform the Fiscal Analysis;
- 3. Clarifies that there is a different deadline for the Fiscal Analysis performed by the County Auditor of Executive-sponsored legislation;
- 4. Clarifies that the exception to provide a Fiscal Analysis by the required deadline only applies to legislation submitted under Section 209(d) of the Howard County Charter; and
- 5. Requires posting of the Fiscal Analysis within a certain time after submission.)
- 1 On page 2, in line 17, after "subsection," insert " FOR LEGISLATION INTRODUCED ON BEHALF OF
- 2 THE COUNTY EXECUTIVE,".
- 4 On page 2, in line 20, after "subsection," insert "FOR LEGISLATION INTRODUCED BY ONE OR MORE
- 5 <u>County Council members,</u>".
- 7 On page 2, in line 28, strike "OR COUNTY EXECUTIVE".
- 9 On page 2, after line 28, insert:
- "(1) A FISCAL ANALYSIS REQUIRED BY SUBSECTION (C)(1)(II) OF THIS SECTION SHALL BE

 SUBMITTED PRIOR TO INTRODUCTION OF THE LEGISLATIVE ITEM, EXCEPT IF THE COUNTY
- 11 SUBMITTED PRIOR TO INTRODUCTION OF THE LEGISLATIVE ITEM, EXCEPT IF THE COUNTY

 12 AUDITOR HAS NOT RECEIVED THE INFORMATION FROM THE COUNTY EXECUTIVE NEEDED
- 13 TO PREPARE A FISCAL ANALYSIS ON LEGISLATION INTRODUCED BY ONE OR MORE COUNTY
- 14 COUNCIL MEMBERS AT LEAST SEVEN BUSINESS DAYS BEFORE THE FISCAL ANALYSIS IS DUE
- 15 <u>IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.</u>"

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1 On page 2, in line 29: 2 1. Strike "(1)" and substitute "(2)"; 2. After "Auditor" insert "OF LEGISLATION INTRODUCED ON BEHALF OF THE COUNTY 3 EXECUTIVE"; 4 3. Strike "OR THE COUNTY EXECUTIVE". 5 6 On page 2, in line 30, strike "PRIOR TO THE INTRODUCTION OF EACH BILL OR OTHER". 7 8 On page 2, in line 31, strike "OR OTHER LEGISLATION FOR CONSIDERATION BY THE COUNCIL [[" 9 10 11 On page 3, in line 1, strike "]]". 12 On page 3, in line 3, strike "(2) If" and substitute "(3) For LEGISLATION FILED UNDER SECTION 13 14 209(d) of the Howard County Charter, if". 15 On page 3, in line 12, strike "At" and substitute "A FISCAL ANALYSIS SHALL BE POSTED TO THE 16 COUNCIL WEBSITE WITHIN 24 HOURS OF SUBMISSION. IF SECTION (D)(2) OF THIS SECTION APPLIES, 17 18 AT".



OFFICE OF THE COUNTY AUDITOR

Craig Glendenning, CPA County Auditor

MEMORANDUM

January 14, 2021

MEMO TO: Howard County Council Members

FROM: Craig Glendenning

County Auditor

Fiscal Impact of Council Bill No. 4-2021

Fiscal Impact:

Subject:

The fiscal impact of this legislation cannot be determined. It is uncertain at this time whether this bill will impact County expenditures.

Proposed changes in Council Bill 4-2021 would require changes in policies and procedures for the Council as well as the Administration. The challenges brought about by these changes are detailed below.

Additionally, we cannot determine if changes in Council policy/procedures as envisioned by the bill will require additional resources for the Council or County Auditor. While the Administration's testimony - titled "The Parity Act" - indicates that their objective is to obtain "uniformity," this cannot be accomplished without significant changes in procedures. Unless Council and the Administration procedures are changed, the proposed legislation would make it impossible to perform a fiscal analysis in compliance with the revised County Code requirements.

Purpose:

Council Bill 4-2021 will do the following:

- Require the Office of the County Auditor to submit their fiscal impact of legislation introduced by the County Executive and the Council at pre-file rather than the Thursday prior to the Public Hearing.
- Allow the County Executive to notify the Council Chair that they are unable to submit their fiscal impact at pre-file, provide a reason for the delay, and request approval from the Council Chair for a revised submission date.

Background:

The County Auditor was appointed September 2012. Starting in 2013, the Office of the County Auditor began providing a fiscal impact analysis of proposed legislation to the Council prior to the Public Hearing (usually scheduled for the third Monday of each month).

The County Council passed *CB8-2020* (effective May 5, 2020), which added Section 5.4 – Fiscal Analysis to the County Code and did two things. First, it required that the fiscal impact analysis be provided and stipulated that the County Auditor submit the analysis on or before 5:00 p.m. the Thursday before the Public Hearing. Second, it required the Council to make the analysis public at least one business day before the Public Hearing.

Council Bill 55-2020 (effective January 5, 2021) amended the County Code and requires the County Executive to submit a fiscal analysis at pre-file, concurrent with each Executive-submitted bill or with other legislation that they request to be introduced by the Council.

To do this, the Chief Administrative Officer established the following process in early December 2020:

- Relevant agencies are required to submit a draft testimony to both the Legislative Coordinator and the Budget Office no later than 10 business days prior to pre-file. A fiscal impact template must be provided with the testimony, which includes detailed projected expenditure and revenue impacts.
- 2. The Budget Office has 10 business days to review and finalize the agency's analysis before pre-file.

On January 5, 2021, we asked if there are more current procedures. As of 4:00 p.m. on Thursday, January 14, we have yet to receive a response.

Effects of the Changes Proposed by CB4-2021:

The Office of the County Auditor notes the following challenges as a result of changes proposed by CB4-2021:

1. Insufficient time for review of County Executive-sponsored legislation:

Section 5.4 of the Charter requires the Administration to provide a fiscal impact concurrent with submission of legislation for introduction. The County Solicitor agrees that the Administration is required to submit testimony at pre-file.

As the Office of the County Auditor does not see the Executive's proposed legislation until pre-file, it would be impossible to develop and submit a fiscal impact concurrent with submission of the legislation as required by CB4-2021.

NOTE: The Administration was unaware that under the proposed bill the Office of the County Auditor would still be required to provide a fiscal impact of Executive-introduced legislation. It has advised the County Auditor that it will be amending CB4-2021 to apply to Council-submitted legislation only.

2. Insufficient time for review of Council-sponsored legislation:

The Office of the County Auditor has three weeks after pre-file to provide a fiscal impact of both Executive and Council-introduced legislation to the Council and the public. Under current practice, Administration staff are instructed not to respond directly to auditor questions on legislation. Agency responses are routinely reviewed by the Chief Administrative Officer and County Executive staff and then submitted to the County Auditor. This contributes to the fact that fiscal impact statements normally require a full three weeks to complete.

3. Lack of confidentiality for Council-sponsored legislation:

Similar to the County Executive, Council members often desire to keep contents of their legislation confidential until pre-file. Under this bill, Council members would need to disclose legislative intent at least three weeks prior to pre-file to allow for the fiscal analysis. The fiscal analysis process routinely requires that Auditor staff contact the Administration for information.

It should be noted that, based on County Auditor experience and knowledge of the County's information systems, the current practice for Council legislation is for the Auditors to work with Council Members and their staff to provide possible fiscal impacts for consideration prior to pre-filing legislation. Auditor staff do not routinely contact Administration staff until the bill is pre-filed and publicly accessible.

Conclusion:

Passing this bill represents a permanent change in the Council's legislative process and how legislation is analyzed by the Office of the County Auditor. This change will not only impact the current Council Members and County Auditor, but future Council Members and County Auditors as well.

In order for the Office of the County Auditor to provide a fiscal analysis at the time legislation is pre-filed, the Council would have to initiate significant changes to their policies and procedures for introducing legislation. The Council Members will need to prepare and disclose legislative contents to the Office of the County Auditor for our review significantly earlier than the current practice. Second, the Council would have to allow Auditor staff to contact the Administration at least three weeks prior to pre-file in order to provide sufficient time to perform an adequate fiscal impact analysis. Additionally, the Administration would have to allow the Auditor staff to communicate directly with County staff and Management.

The County Auditor is hesitant to recommend any such change in the Council's policies and questions if it is appropriate for the Administration to require such a change.

Sayers, Margery

From:

Hiruy Hadgu <hadguhiruy@gmail.com>

Sent:

Wednesday, January 20, 2021 4:29 PM

To:

CouncilMail

Subject:

HCCA Testimony CB4-2021

Attachments:

HCCA - Testimony CB4-2021.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Greetings,

Please find attached HCCA's testimony on CB4-2021.

Best Regards,

Hiruy.



Howard County Citizens Association

Since 1961... The Voice Of The People of Howard County

HCCA Testimony - Public hearing 01/19/2021

CB4-2021

The Howard County Citizens Association (HCCA) supports in part and opposes in part the provisions of CB4-2021.

The HCCA expresses support to the provision of CB4 that would require a fiscal impact analysis to be submitted prior to the introduction of each bill or legislation for consideration by the council. Introducing the fiscal impact analysis at the time of introduction would give more time for consideration by public. You may recall that the HCCA expressed serious concern about the current timing at the time it was proposed. We are gratified that this concern is addressed by the bill. Since it is not clear, whether fiscal impact analysis would be public at the time of introduction of bill, we would urge that it be clear.

We would like to point the council's attention to lines 1 and 2 on page 3 of the bill. If the bill is passed, the sentence after the comma on line 1 might not be applicable anymore as it was applicable to the timing if the analysis was submitted the Thursday before the public hearing. The HCCA does not support the change in the bill that allows the County Executive to get out of preparing a fiscal impact analysis under emergency conditions. The definition of "emergency" leaves a lot to the imagination and could be used as a loophole. For example, we are currently under a state of emergency. Does this mean the County Auditor or County Executive don't have to provide this fiscal impact analysis?



Howard County Citizens Association

Since 1961...

The Voice Of The People of Howard County

The Administration's explanation says the intent is to "extend the exception afforded to the Auditor to the County Executive", but we disagree that analysis as the Auditor and the County Executive are subject to different accountability structures. The County Executive as a co-equal branch of government can chose to ignore the requirement without concern of accountability, especially if he or she can influence the Council Chair to allow this transgression.

So we request that the county council specify the categories of emergency under which the exceptions are allowed. A written documentation of this emergency with an explanation of how that emergency prevented the preparation of the analysis.

We also think it would serve transparency and accountability better if there is a stipulation that the bill will not be introduced without the fiscal analysis.

Hiruy Hadgu

HCCA Board of Directors



HOWARD COUNTY COUNCIL AFFIDAVIT OF AUTHORIZATION TO TESTIFY ON BEHALF OF AN ORGANIZATION

_{I,} Hiruy Hadgu	, have been duly authorized by
(name of individual)	
Howard County Citizens Association, HCCA	to deliver testimony to the
Howard County Citizens Association, HCCA (name of nonprofit organization or government board, commission, or to	ask force)
County Council regarding CB4-2021	to express the organization's
(bill or resolution number)	
support for / opposition to / request to amend this legislation. (Please circle one.)	
Printed Name: Hiruy Hadgu	
Signature:	
Date: 19 Jan 2021	
Organization: HCCA	
Organization Address: HCCA	
P.O. Box 89 Ellicott City	MD 21041
Number of Members: 500	
Name of Chair/President: Stu Kohn	

This form can be submitted electronically via email to <u>councilmail@howardcountymd.gov</u> no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.

Sayers, Margery

From:

Dan H <westphillydan@yahoo.com>

Sent:

Tuesday, January 19, 2021 7:12 PM

To:

CouncilMail

Subject:

CB4 2021 Testimony on behalf of Indivisible Howard County

Attachments:

CB4 2021 testimony 011921 for Howard County Indivisible.docx

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Please find testimony by Dan Hajdo on behalf of Howard County Indivisible regarding CB4 2021.

thank you, Dan Hajdo



CB4-2021

My name is Dan Hajdo and I am to here to testify on behalf of Howard County Indivisible. We urge approval of main part of CB-4, the change in timing for fiscal impact statements, and urge amendment to two other parts of CB-4.

1) First, then, we support the change in the timing of fiscal analysis submission. Changing it to prior to introduction instead of prior to a hearing – is a step in the right direction.

Anything that tends toward greater transparency and accountability to the public (which we see as the main benefit of the bill) is welcome. Getting the fiscal analysis to the public as soon as possible gives the public more time to review and assess legislation.

So far so good, but then ... you need to publish it when it is submitted.

2) Hence, the timing for making the fiscal impact statement available to the public should be made concurrent with the deadline for the fiscal impact statement.

If the impact statement is prepared, and presented to the council with the legislation, publish it. Otherwise, there is no benefit to the public.

One of the stated purposes of CB4-2021 is to "promote oversight that builds public confidence in government decision making;" meaning Council oversight of the Executive. Oddly enough, "promoting oversight by the public, and transparency to the public," is not a stated purpose.

It should be *the* purpose. Presenting fiscal analysis to the council well before releasing it to the public will not improve oversight by the public, and it *definitely will not* promote "confidence in government decision-making."

As long as people are watching. And we are.

3) Finally, we urge amendment to the bill to grant exceptions to the deadline "only for emergency legislation."

The vague, blanket process for granting exceptions as written leaves enough room to drive a truck full of patronage through it.

Now the rationale for granting exceptions in the first place, is that emergency legislation may require quick action. That is reasonable. Very well, let the legislation make this clear.

Moreover, "emergency legislation" must be narrowly defined. An identifiable natural disaster, for example, may warrant emergency legislation. A sudden change in the market that affects a developer's chance to maximize profit does not.

In short, in all but the most limited of circumstances, if a fiscal impact statement cannot be prepared before introduction of the bill, the bill simply cannot be introduced.

Dan Hajdo,

IndivisibleHoCoMD Economic Equity Team



Public Hearing.

HOWARD COUNTY COUNCIL AFFIDAVIT OF AUTHORIZATION TO TESTIFY ON BEHALF OF AN ORGANIZATION

_{I,} Dan Hajdo	, have been duly authorized by
(name of individual)	
Howard County Indivisible	to deliver testimony to the
(name of nonprofit organization or government board, commission, or tas	rk force)
County Council regarding CB-4 2021 (bill or resolution number)	to express the organization's
support for / opposition to / request to amend this legislation. (Please circle one.)	
Printed Name: Dan Hajdo	
Signature:	
Date: 01/18/2021	
Organization: Howard County Indivisible	
Organization Address: P.O. Box 603, Savage N	ИD, 20763
P.O. Box 603, Savage MD, 20763	
Number of Members: 600	
Name of Chair/President: Elizabeth Kate	
This form can be submitted electronically via emar councilmail@howardcountymd.gov no later than 2 hours pri-	