

AMENDMENTS TO COUNCIL BILL 18-0199
(1st Reader Copy)

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By: Judiciary and Legislative Investigations Committee
{To be offered on the Council Floor}

Amendment No. 1

On page 1, strike from “appointing” in line 5, down through and including “General;”, in line 9; and, on that same page, strike from “requiring” in line 11, down through and including “law;”, in line 14 and substitute “providing for certain administrative procedures;”; and, on that same page, strike lines 18 through 23 in their entirety and substitute:

“BY proposing to add
Article X - Office of the Inspector General
Section(s) 1 to 6
Baltimore City Charter
(1996 Edition)”.

ADOPTED

Amendment No. 2

On page 1, strike lines 27 and 28 in their entirety and substitute:

“ARTICLE X. OFFICE OF THE INSPECTOR GENERAL”.

Amendment No. 3

On page 2, in line 1, strike “135” and substitute “1”; and, on that same page, in line 4, strike “136” and substitute “2”; and, in line 6, strike “COMPRISING” down through and including “DESIGNEES:” in line 7 and substitute “TO BE COMPRISED OF 5 OR 7 MEMBERS AS PROVIDED IN THIS SUBSECTION (A).”

(2) THE ADVISORY BOARD CONSISTS OF THE FOLLOWING :”; and,

in line 8, after “MAYOR”, insert “, OR THE MAYOR’S DESIGNEE”; and, in line 12, after “COMPTROLLER”, insert “, OR THE COMPTROLLER’S DESIGNEE”; and, in line 13, after “PRESIDENT” strike the semicolon and substitute “, OR THE PRESIDENT’S DESIGNEE; AND”; and, strike lines 14 through 19 in their entirety; and, in line 20, strike “(IX)” and substitute

“(v)” and, in lines 20 and 21, strike “SELECTED BY MAJORITY VOTE OF THE COUNCIL” and substitute “APPOINTED BY THE CITY COUNCIL PRESIDENT”.

Amendment No. 4

On page 2, after line 21, insert:

“(3) THE MAYOR AND CITY COUNCIL PRESIDENT MAY APPOINT 2 ADDITIONAL MEMBERS TO THE ADVISORY BOARD FROM THE LIST PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION IF:

(I) THE MAYOR AND THE CITY COUNCIL PRESIDENT JOINTLY AGREE TO AN APPOINTMENT; AND

(II) THE MEMBERS APPOINTED AGREE TO SERVE ON THE ADVISORY BOARD .”.

Amendment No. 5

On page 2, before line 22, insert:

“(4) THE 2 ADDITIONAL MEMBERS THAT MAY BE SELECTED TO SERVE ON THE ADVISORY BOARD PURSUANT TO PARAGRAPH (3) OF THIS SUBSECTION MAY ONLY BE AS FOLLOWS :

(I) THE DEAN OF THE UNIVERSITY OF MARYLAND SCHOOL OF LAW; AND

(II) THE DEAN OF THE UNIVERSITY OF BALTIMORE SCHOOL OF LAW.”.

Amendment No. 6

On page 2, in line 22, strike “(2)” and substitute “(5)” and, in that same line, strike “5” and substitute “4”; and, on that same page, in line 23, strike “(3)” and substitute “(6)” and, in that same line, strike “5” and substitute “4”; and, on that same page, in line 27, after “HAVE”, insert “SUBSTANTIAL”; and, in that same line, strike “ACCOUNTING” and substitute “AUDITING”; and, in line 28, before “LAW” insert “CRIMINAL JUSTICE”; and, in that same line, strike “OR”; and, in that same line, after “INVESTIGATIONS”, insert “, OR ANOTHER APPROPRIATE FIELD”.

Amendment No. 7

On page 3, strike lines 5 through 16 in their entirety and substitute:

“THE INSPECTOR GENERAL MAY BE REMOVED FROM OFFICE BY AN AFFIRMATIVE VOTE OF AT LEAST 4 MEMBERS OF THE ADVISORY BOARD FOR :

(1) MISCONDUCT IN OFFICE;

(2) PERSISTENT FAILURE TO PERFORM THE DUTIES OF OFFICE ; OR

(3) CONDUCT PREJUDICIAL TO THE PROPER ADMINISTRATION OF JUSTICE .

(E) REPORTS CONCERNING A VACANCY OR INCAPACITY.

WHENEVER THE OFFICE OF THE INSPECTOR GENERAL REMAINS VACANT FOR 180 DAYS, OR WHENEVER THE INSPECTOR GENERAL IS INCAPACITATED OR OTHERWISE UNABLE TO PERFORM THE DUTIES OF THE OFFICE FOR 180 DAYS, THE CHAIR OF THE ADVISORY BOARD SHALL ISSUE A REPORT TO THE CITY COUNCIL ON THE 180TH DAY, AND EVERY 2 MONTHS THEREAFTER UNTIL THE VACANCY IS FILLED OR THE INSPECTOR GENERAL REPORTS TO WORK, DESCRIBING THE STATUS OF THE EFFORTS TO FILL THE VACANCY OR THE STATUS OF THE ABSENT INSPECTOR GENERAL .”.

Amendment No. 8

On page 3, in line 17, strike “(E)” and substitute “(F)” ; and on that same page, strike lines 20 through 35 in their entireties.

Amendment No. 9

On page 4, in line 1, strike “137” and substitute “3” ; and, on that same page, strike lines 7 and 8 in their entireties; and, in line 9, strike “(2)” and substitute “(1)” ; and, in that same line, after “FRAUD,” , insert “FINANCIAL” ; and, in line 11, strike “(3)” and substitute “(2)” ; and, in that same line, strike “ETHICAL, FISCAL, AND LEGAL ACCOUNTABILITY ” and substitute “EFFICIENCY, ACCOUNTABILITY, AND INTEGRITY IN CITY GOVERNMENT” ; and, in line 22, strike “INSPECTIONS, INVESTIGATIONS, AND EVALUATIONS” and substitute “ISSUING SUBPOENAS” ; and, strike lines 23 through 29 in their entireties and substitute:

“(1) TO PERFORM THE DUTIES OF OFFICE, THE INSPECTOR GENERAL MAY ISSUE A SUBPOENA TO REQUIRE :

(I) ANY PERSON TO APPEAR UNDER OATH AS A WITNESS ; OR

(II) THE PRODUCTION OF ANY INFORMATION , DOCUMENT, REPORT, RECORD, ACCOUNT, OR OTHER MATERIAL .

(2) THE INSPECTOR GENERAL MAY ENFORCE ANY SUBPOENA ISSUED PURSUANT TO THIS SUBSECTION IN ANY COURT OF COMPETENT JURISDICTION .”.

Amendment No. 10

On page 5, in lines 8 and 9, strike “OFFICE OF THE INSPECTOR GENERAL’S”; and, on that same page, strike lines 12 through 34 in their entireties; and, on page 6, strike lines 1 through 19 in their entireties.

Amendment No. 11

On page 6, in line 20, strike “138” and substitute “4”; and, in that same line, strike “FUNDING” and substitute “**BUDGET**”; and, on that same page, strike lines 21 through 30 in their entireties and substitute:

“(A) PROPOSED BUDGET.

THE INSPECTOR GENERAL SHALL FORMULATE AND PREPARE ANNUALLY , OR AS FREQUENTLY AS REQUIRED BY LAW , A PROPOSED BUDGET TO FUND THE OPERATIONS OF THE OFFICE AND SHALL TRANSMIT THE PROPOSED BUDGET TO THE ADVISORY BOARD FOR ITS REVIEW.

(B) REVIEW OF PROPOSED BUDGET.

(1) THE ADVISORY BOARD SHALL MEET TO REVIEW THE PROPOSED BUDGET SUBMITTED BY THE INSPECTOR GENERAL FOR THE PURPOSE OF ASSESSING AND DETERMINING WHETHER , IN THE JUDGEMENT OF THE ADVISORY BOARD , THE PROPOSED BUDGET PROVIDES SUFFICIENT FUNDING TO MEET THE DUTIES OF THE OFFICE.

(2) THE ADVISORY BOARD SHALL , BY AN AFFIRMATIVE VOTE OF AT LEAST 4 OF ITS MEMBERS, EITHER:

(I) APPROVE THE PROPOSED BUDGET AS SUBMITTED ; OR

(II) REVISE THE PROPOSED BUDGET IF THE ADVISORY BOARD DISAGREES WITH THE SUBSTANCE OF ANY ITEM CONTAINED IN THE PROPOSED BUDGET , INCLUDING ESTIMATES OF NEED AND AMOUNTS OF REQUESTED FUNDING .

(C) SUBMISSION.

(1) THE BUDGET APPROVED BY THE ADVISORY BOARD PURSUANT TO SUBSECTION (B) OF THIS SECTION SHALL BE THE OFFICE BUDGET THE ADVISORY BOARD RECOMMENDS TO THE BOARD OF ESTIMATES.

(2) THE ADVISORY BOARD, ON BEHALF OF THE OFFICE OF THE INSPECTOR GENERAL, SHALL SUBMIT THE RECOMMENDED BUDGET TO THE BOARD OF ESTIMATES IN A TIMELY MANNER IN ORDER FOR THE RECOMMENDED BUDGET TO BE CONSIDERED FOR INCLUSION IN THE ORDINANCE OF ESTIMATES.

(D) FUNDING.

THE OFFICE OF THE INSPECTOR GENERAL SHALL BE FUNDED ANNUALLY IN THE ORDINANCE OF ESTIMATES.”.

Amendment No. 12

On page 7, strike lines 1 through 30 in their entireties and substitute:

“§ 5. OFFICE OF THE INSPECTOR GENERAL: ADMINISTRATION AND OPERATION .

(A) STAFF.

THE INSPECTOR GENERAL MAY APPOINT SUCH OTHER EMPLOYEES TO ASSIST IN THE CONDUCT OF THE OFFICE AS MAY BE PROVIDED IN THE ORDINANCE OF ESTIMATES.

(B) DEPUTY INSPECTOR GENERAL.

(1) THE INSPECTOR GENERAL SHALL APPOINT A DEPUTY INSPECTOR GENERAL WHO SHALL SERVE AS THE ACTING INSPECTOR GENERAL IF THE INSPECTOR GENERAL IS ABSENT OR UNAVAILABLE FOR DUTY .

(C) ADMINISTRATIVE AND OPERATIONAL PROCEDURES .

THE ADMINISTRATIVE AND OPERATIONAL PROCEDURES OF THE OFFICE MAY BE ESTABLISHED BY LAW OR BY RULE OR REGULATION ADOPTED BY THE INSPECTOR GENERAL.”.

Amendment No. 13

On page 7, in line 31, strike “142” and substitute “6”; and, in line 35, strike “§ 135 OF”; and, on that same page, in lines 35 and 36, strike “THAT § 135” and substitute “THIS ARTICLE”; and, on page 8, in line 2, strike “ASSUMING” and substitute “WHO ASSUMES”; and, on that same page, in lines 2 and 3, strike “SUBSECTION (A) OF THIS SECTION” and substitute “THE PROVISIONS OF THIS ARTICLE”; and, on that same page, in lines 3 and 4, strike “DATE OF HER OR HIS APPOINTMENT TO THE POSITION OF INSPECTOR GENERAL OF THE CITY OF BALTIMORE IN THE LAW DEPARTMENT” and substitute “EFFECTIVE DATE OF THIS ARTICLE”; and, strike lines 5 through 13 in their entireties.

