

Department of Legislative Services  
Maryland General Assembly  
2009 Session

FISCAL AND POLICY NOTE

House Bill 1316 (Delegate Levi, *et al.*)  
Environmental Matters

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Charter and Code Home Rule Counties - County Employees - Furloughs

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This bill authorizes charter and code home rule counties to provide for the furlough of county employees only by ordinance and not by resolution.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** Restricting the means by which specified counties may furlough county employees may increase personnel costs associated with any delay in, or prevention of, a furlough action. Local revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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Analysis

**Current Law:** There is no specific requirement or limitation on how charter and code home rule counties may provide for the furlough of county employees.

**Background:** Maryland counties operate under three forms of government: commission, charter home rule, and code home rule. **Exhibit 1** shows the form of government for each Maryland county.

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**Exhibit 1**  
**Form of County Government**

<b><u>Charter</u></b>	<b><u>Commission</u></b>	<b><u>Code</u></b>
Anne Arundel	Calvert	Allegany
Baltimore	Carroll	Caroline
Dorchester	Cecil	Charles
Harford	Frederick	Kent
Howard	Garrett	Queen Anne's
Montgomery	St. Mary's	Worcester
Prince George's	Somerset	
Talbot	Washington	
Wicomico		

Source: Department of Legislative Services

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The Express Powers Act grants charter counties and code home rule counties the authority to enact local laws, but does not provide an express power to counties regarding furloughs.

The rules for enacting an ordinance vary among Maryland counties. These rules typically include: introduction of a bill; provisions for public notice or advertising of a bill; a public hearing; a vote on the bill by the county council; the prerogative of the county executive to sign, not sign, or veto a bill passed by the county council; and the ability of the county council to override a veto. Generally, a county council may adopt a resolution without prior advertisement, a hearing, or consideration by the county executive. Furloughs of government employees generally may be initiated by executive order.

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**Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 925 (Senator Rosapepe) - Finance.

**Information Source(s):** Anne Arundel County, Baltimore County, Dorchester County, Garrett County, Harford County, Howard County, Montgomery County, Maryland Association of Counties, Department of Legislative Services

**Fiscal Note History:** First Reader - March 18, 2009  
ncs/mwc

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