



ANNE ARUNDEL COUNTY GOVERNMENT RELATIONS OFFICE

Ethan B. Hunt, Director of Government Affairs
Anne Arundel County Executive Office
44 Calvert St.
Annapolis, MD 21401

February 25, 2025

The Hon. Brian Feldman, Chair
Senate Education, Energy, and the Environment Committee
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

Re: Senate Bill 440 - Anne Arundel County - Office of the Inspector General - Establishment

Dear Chair Feldman:

The Anne Arundel County Administration, in consultation with our County Attorney, has concerns about several provisions of Senate Bill 440 - Anne Arundel County - Office of the Inspector General - Establishment, as outlined below. This legislation mandates that the Anne Arundel County Council pass legislation creating a new office in county government with responsibilities that presumably are largely duplicative of an office that currently exists under the County Charter, and appropriate money for that office. Furthermore, this legislation runs afoul of Article XI-E of the Maryland Constitution in multiple ways. These concerns should in no way suggest that we are opposed in principle to the creation of an Office of the Inspector General. However such an undertaking should be done through a public process that engages county residents and the legislative and executive branches of local government.

Anne Arundel County has taken many significant steps over the past several years to increase transparency and accountability. Last year, the entire County Council sponsored and unanimously passed Resolution 27-24. This resolution proposed an amendment to the Anne Arundel County Charter that, among other things, requires any allegation or investigation of employee waste, fraud, or abuse, be sent to the County Auditor and that any exception to the findings be sent to the County Executive and County Council, and that all records maintained by all officers, agents, and employees of the County, shall be open to inspection at all times by the Auditor. This charter amendment was overwhelmingly approved by the voters of Anne Arundel County in the 2024 General Election and became effective January 1 of this year. It seems premature to mandate creation of an office with the same responsibilities when the current

county official entrusted with these duties has had them for less than two months.

Furthermore, this bill mandates the Council appropriate funds for creation of an Office of the Inspector General. A cursory review of the budgets of other Maryland counties with offices of an inspector general shows expenses for the offices ranging from \$850,000 to over \$3 million - an expense that would compete with the many important public services that our residents expect us to fund.

Finally, the provisions of this bill appear to run afoul of Art. 11-A, §4 of the Md. Constitution, which prohibits the General Assembly enacting a public local law on any subject covered by the Express Powers Act. This would be a public local law since it only applies to Anne Arundel County, and Md. Code Ann. Local Government Article §10-303 (County Officers, Officials, and Employees") is covered by the Express Powers Act. *See State's Attorney of Baltimore City v. City of Balt.*, 274 Md. 597 (1975)("The legislation in respect to the subjects contained in the granted powers is therefore committed exclusively to the local authorities and denied to the General Assembly, so long as the grant of powers remained unchanged"). Furthermore, under §3 of Art. 11-A, legislative power to pass local laws in a charter county is vested in the council, not by state legislation requiring the Council to vote in a certain manner.

In closing, it is important to note that Anne Arundel County is not opposed to the creation of an Office of the Inspector General as a matter of principle. However the Administration believes that creation of such an office should follow a process similar to those that established Inspectors General in Howard County, Baltimore County, and Baltimore City – with local legislation and charter revision that comes about as the result of a locally driven process, that engages the County Council and County Executive, and most importantly, the residents that we serve.

Sincerely,
Ethan Hunt /s/
Director of Government Affairs
Office of County Executive Steuart Pittman

Cc: Members of the Senate Education, Energy, and the Environment Committee
Sen. Dawn Gile, Chair, Anne Arundel County Senators
Members, Anne Arundel County Council