

SENATE BILL 814

L2

3lr2063
CF HB 720

By: **Senator Shank**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 15, 2013

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Salary and Expense Study Commission – Updating**
3 **Salary Provisions ~~– Membership~~**

4 FOR the purpose of updating certain provisions concerning the salaries of certain
5 county officials; altering the membership of the Washington County Salary
6 Study Commission; repealing certain provisions relating to the expense
7 allowance for the judges of the Orphans’ Court for Washington County;
8 authorizing the Board of County Commissioners of Washington County to
9 provide for a certain expense allowance for the judges of the Orphans’ Court for
10 Washington County; and generally relating to the ~~Washington County Salary~~
11 ~~Study Commission~~ salaries and expenses of certain county officials in
12 Washington County.

13 BY repealing and reenacting, with amendments,
14 Article 2B – Alcoholic Beverages
15 Section 15–109(w)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2012 Supplement)

18 ~~BY repealing and reenacting, with amendments,~~
19 ~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
20 ~~Section 12–203(b)~~
21 ~~Annotated Code of Maryland~~
22 ~~(2011 Replacement Volume and 2012 Supplement)~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 ~~BY repealing and reenacting, without amendments,~~
 2 ~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~
 3 ~~Section 12–205~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(2011 Replacement Volume and 2012 Supplement)~~
- 6 ~~BY repealing and reenacting, with amendments,~~
 7 ~~Article 25 – County Commissioners~~
 8 ~~Section 51(e)~~
 9 ~~Annotated Code of Maryland~~
 10 ~~(2011 Replacement Volume and 2012 Supplement)~~
- 11 BY repealing and reenacting, with amendments,
 12 Article – Local Government
 13 Section 16–205 and 28–203
 14 Annotated Code of Maryland
 15 (As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
 16 2013)
- 17 BY repealing and reenacting, without amendments,
 18 Article – Local Government
 19 Section 28–207 and 28–209
 20 Annotated Code of Maryland
 21 (As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
 22 2013)
- 23 BY repealing and reenacting, with amendments,
 24 Article – Education
 25 Section 3–1302
 26 Annotated Code of Maryland
 27 (2008 Replacement Volume and 2012 Supplement)
- 28 BY repealing and reenacting, with amendments,
 29 Article – Estates and Trusts
 30 Section ~~2–108(v)(1)~~ 2–108(v)
 31 Annotated Code of Maryland
 32 (2011 Replacement Volume and 2012 Supplement)
- 33 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 34 MARYLAND, That the Laws of Maryland read as follows:
- 35 **Article 2B – Alcoholic Beverages**
- 36 15–109.
- 37 (w) (1) This subsection applies only in Washington County.

(2) The annual salaries for the Board of License Commissioners [are:

(i) Chairman – \$9,850; and

(ii) Members – \$9,600] ~~SHALL BE SET BY THE BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY UNDER ARTICLE 24, TITLE 12, SUBTITLE 2 OF THE CODE~~ TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE.

(3) The salaries specified in this subsection are payable monthly from the license fees derived from the issuance of licenses authorized by this article.

(4) A member or employee of the Board may not have any pecuniary or other interest in any phase of the manufacture, sale or distribution of any alcoholic beverages.

~~Article 24 – Political Subdivisions – Miscellaneous Provisions~~

~~12-203.~~

~~(b) The Commission shall be comprised as follows:~~

~~(1) One member from the Democratic Party Central Committee of Washington County;~~

~~(2) One member from the Republican Party Central Committee of Washington County;~~

~~(3) One member from the Washington County Chamber of Commerce;~~

~~(4) One member from the Washington County Farm Bureau;~~

~~(5) One member from the League of Women Voters of Washington County;~~

~~(6) One member from the Western Maryland Central Labor Council;~~

~~(7) One member from the Cumberland Valley Associated Builders and Contractors, Inc.;~~

~~(8) One member from the Joint Veterans Council of Washington County; and~~

~~(9) One member at large WHO IS A RESIDENT selected by the BOARD OF COUNTY COMMISSIONERS OF Washington County [Retired Teachers Association].~~

1 ~~12-205.~~

2 (a) ~~The Commission shall study the salaries of the Washington County:~~

3 (1) ~~Board of County Commissioners;~~

4 (2) ~~Board of Education;~~

5 (3) ~~Orphans' Court judges;~~

6 (4) ~~Sheriff;~~

7 (5) ~~Treasurer; and~~

8 (6) ~~Board of Liquor License Commissioners.~~

9 (b) (1) ~~On or before November 20, 1996, and on or before December 1 each~~
10 ~~fourth year thereafter, the Commission shall issue a report containing~~
11 ~~recommendations to the Board of County Commissioners for review and consideration.~~

12 (2) (i) ~~This paragraph does not apply to the salaries of the County~~
13 ~~Commissioners or the Sheriff.~~

14 (ii) ~~Within 45 days after receiving the recommendations of the~~
15 ~~Commission, the Board of County Commissioners shall set by local law the salary for~~
16 ~~each office included in the recommendations.~~

17 1. ~~Subject to paragraph (3) of this subsection; and~~

18 2. ~~With respect to a public official, in accordance with Article~~
19 ~~III, § 35 of the Maryland Constitution.~~

20 (3) ~~The Board of County Commissioners may accept, reduce, or reject~~
21 ~~but may not increase the recommendations of the Commission.~~

22 (4) ~~On or before December 15, 1996, and on or before December 15~~
23 ~~each fourth year thereafter, the Board of County Commissioners shall submit~~
24 ~~recommendations to the legislative delegation concerning the salaries of the County~~
25 ~~Commissioners and the Sheriff.~~

26 ~~Article 25 — County Commissioners~~

27 ~~51.~~

28 (c) ~~The County Treasurer of Washington County shall receive an annual~~
29 ~~salary [of \$6,000.00] AS SET BY THE BOARD OF COUNTY COMMISSIONERS OF~~

~~WASHINGTON COUNTY UNDER ARTICLE 24, TITLE 12, SUBTITLE 2 OF THE CODE. The deputy treasurer and clerks shall each be paid such compensation as the said Treasurer, with the approval of the County Commissioners of said county shall determine. The County Commissioners shall pay all the office expenses of the Treasurer and shall have the power, in their discretion, to increase the compensation of the Treasurer and the employees in his office.~~

Article – Local Government

16–205.

(a) (1) The annual salary of the County Treasurer of Washington County is:

(i) [\$6,000] AS SET BY THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY UNDER TITLE 28, SUBTITLE 2 OF THIS ARTICLE; or

(ii) any increased compensation authorized by the County Commissioners of Washington County.

(2) The County Treasurer shall determine the annual salaries of the deputy treasurer and employees in the office, subject to:

(i) the approval of the County Commissioners; and

(ii) any increased compensation authorized by the County Commissioners.

(b) The County Commissioners of Washington County shall pay the office expenses of the County Treasurer of Washington County.

28–203.

(a) Subject to subsections (b) and (d) of this section, the Commission consists of the following members:

(1) one member from the Democratic Central Committee of Washington County;

(2) one member from the Republican Central Committee of Washington County;

(3) one member from the Washington County Chamber of Commerce;

(4) one member from the Washington County Farm Bureau;

1 (5) one member from the League of Women Voters of Washington
2 County;

3 (6) one member from the Western Maryland Central Labor Council;

4 (7) one member from the Cumberland Valley Associated Builders and
5 Contractors, Inc.;

6 (8) one member from the Joint Veterans Council of Washington
7 County; and

8 (9) one at-large member WHO IS A RESIDENT selected by the BOARD
9 OF COUNTY COMMISSIONERS OF Washington County [Retired Teachers
10 Association].

11 (b) Each member shall be a registered voter of Washington County who in
12 the previous 4 years has voted in at least two elections, at least one of which was in
13 the gubernatorial election year.

14 (c) On or before March 31, 2016, and on or before March 31 each fourth year
15 thereafter, the County Commissioners of Washington County shall request that each
16 organization listed in subsection (a) of this section recommend an appointee to the
17 county commissioners on or before the following May 15.

18 (d) (1) The County Commissioners of Washington County shall appoint
19 the individual recommended by each organization listed in subsection (a) of this
20 section.

21 (2) If an organization fails to make a recommendation to the county
22 commissioners on or before June 1, the members who have been appointed to the
23 Commission shall meet, solicit prospective members from the public, and select by
24 majority vote a qualified substitute public member to the Commission to serve through
25 the following December 1.

26 (3) A member of the Commission may not be an elected official or an
27 employee of an official whose salary the Commission studies.

28 28-207.

29 (a) The Commission shall study the salaries of:

30 (1) the County Commissioners of Washington County;

31 (2) the Washington County Board of Education;

32 (3) the Washington County Board of Liquor License Commissioners;

1 2-108.

2 (v) (1) As compensation each of the judges of the Court for Washington
3 County shall receive an annual compensation [of not more than \$7,000 per year] AS
4 SET BY THE ~~BOARD OF COUNTY COMMISSIONERS OF WASHINGTON COUNTY~~
5 ~~UNDER ARTICLE 24, TITLE 12, SUBTITLE 2 OF THE CODE~~ TITLE 28, SUBTITLE 2
6 OF THE LOCAL GOVERNMENT ARTICLE.

7 (2) [(i) Each judge shall also receive an expense allowance, not to
8 exceed \$1,000 per year, to be paid by the Board of County Commissioners upon
9 presentation of an itemized voucher of legitimate expenses.

10 (ii) For purposes of subparagraph (i) of this paragraph,
11 legitimate expenses include:

12 1. Registration fees for business related seminars and
13 conferences;

14 2. \$10 per year for judge's association membership;

15 3. Parking expenses incurred while on business related
16 trips out of the county, upon presentation of a receipt from the parking facility
17 indicating the amount;

18 4. A gasoline expense, equal to the amount per mile paid
19 other Washington County employees while traveling to business related activities held
20 out of the county;

21 5. A meal expense, not to exceed \$30 per day, incurred
22 while on business related trips out of the county; and

23 6. A room expense, not to exceed \$85 per day, incurred
24 while on business related activities held out of the county.] THE BOARD OF COUNTY
25 COMMISSIONERS MAY PROVIDE FOR AN EXPENSE ALLOWANCE AS THE BOARD
26 DETERMINES.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2013.