

HOUSE BILL 1399

L2

4r3148
CF 4r3169

By: **Washington County Delegation**

Introduced and read first time: February 12, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning

Washington County – Sheriff and County Commissioners – Salaries

FOR the purpose of providing that the Sheriff of Washington County shall receive a certain salary in certain years; requiring the County Commissioners of Washington County to set the salaries for certain offices by local law, subject to certain conditions; providing that the County Commissioners of Washington County shall receive a certain salary in certain years; repealing a certain requirement that the County Commissioners submit certain recommendations to certain members of the General Assembly; providing for the application of this Act; and generally relating to the salaries of the Sheriff of Washington County and the County Commissioners of Washington County.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2–309(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(w)(1)
Annotated Code of Maryland
(2013 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, without amendments,
Article – Local Government
Section 28–207
Annotated Code of Maryland
(2013 Volume)

BY repealing and reenacting, with amendments,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Local Government
 Section 28–209
 Annotated Code of Maryland
 (2013 Volume)

BY repealing and reenacting, with amendments,
 The Public Local Laws of Washington County
 Section 1–103
 Article 22 – Public Local Laws of Maryland
 (2007 Edition and October 2010 Supplement, as amended)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

2–309.

(a) The sheriff of a county and his deputies shall receive the annual salaries provided by this section for performing the duties required of them by the Constitution and the laws of this State. They shall be reimbursed for expenses as provided by law.

(w) (1) (i) The Sheriff of Washington County shall receive a salary of **[\$88,000] THE GREATER OF:**

1. \$100,000 IN CALENDAR YEAR 2015 AND THEREAFTER; OR

2. THE SALARY SET BY THE COUNTY COMMISSIONERS OF WASHINGTON COUNTY UNDER TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE.

(ii) The Sheriff shall appoint a chief deputy at a salary level set by the County Commissioners.

(iii) The Sheriff may appoint deputy sheriffs and other personnel necessary to perform the duties of office at salary levels set by the County Commissioners in accordance with the county's budgetary process.

Article – Local Government

28–207.

(a) The Commission shall study the salaries of:

(1) the County Commissioners of Washington County;

- (2) the Washington County Board of Education;
- (3) the Washington County Board of Liquor License Commissioners;
- (4) the judges of the Orphans' Court for Washington County;
- (5) the Sheriff of Washington County; and
- (6) the Treasurer of Washington County.

(b) On or before the December 1 following appointment, the Commission shall issue a report that contains recommendations to the County Commissioners of Washington County for review and consideration.

28–209.

(a) [(1) This subsection does not apply to the salaries of the County Commissioners of Washington County or the Sheriff of Washington County.

(2)] Subject to subsection (b) of this section and Article III, § 35 of the Maryland Constitution, the [county commissioners] **COUNTY COMMISSIONERS OF WASHINGTON COUNTY**, by local law, shall set the salary for each office included in the recommendations.

(b) The County Commissioners of Washington County may accept, reduce, or reject, but may not increase, the recommendations of the Commission.

[(c) On or before the December 15 following appointment of the Commission, the County Commissioners of Washington County shall submit recommendations to the members of the General Assembly who represent any part of Washington County concerning the salaries of the county commissioners and the sheriff.]

Article 22 – Washington County

1–103.

(a) The annual salary for a County Commissioner [is \$30,000], payable as provided by the county's payroll system, **IS THE GREATER OF:**

(1) \$30,000; OR

(2) THE SALARY SET BY THE COUNTY COMMISSIONERS UNDER TITLE 28, SUBTITLE 2 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

(b) The Commissioner elected President of the Board shall receive an additional \$3,000 per year.

(c) Each County Commissioner may be reimbursed up to an annual total of \$2,000 for any reasonable expenses incurred by the Commissioner in carrying out the functions of the office.

(d) Each County Commissioner is entitled to health insurance and to other fringe benefits regularly provided to county employees.

(e) A Commissioner may not receive any other compensation for services as a Washington County Commissioner.

SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary or compensation of the Sheriff of Washington County or a County Commissioner of Washington County while serving in a term of office beginning before the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the Sheriff of Washington County and a County Commissioner of Washington County shall take effect at the beginning of the next following term of office. This limitation does not apply to an individual appointed or elected after the effective date of this Act to fill out an unexpired term.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.