(PRE-FILED)

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By: **Chairman, Budget and Taxation Committee (Departmental -**
  Assessments and Taxation)
Requested: July 27, 1998
Introduced and read first time: January 13, 1999
Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2   **Supervisors of Assessments - Residency Requirement**

3 FOR the purpose of authorizing the appropriate county official to waive the residency
4   requirement for a supervisor of assessments; and providing that the residency
5   requirement shall be waived under certain circumstances.

6 BY repealing and reenacting, with amendments,
7   Article - Tax - Property
8   Section 2-105
9   Annotated Code of Maryland
10   (1994 Replacement Volume and 1998 Supplement)

11 BY repealing and reenacting, without amendments,
12   Article - Tax - Property
13   Section 2-109
14   Annotated Code of Maryland
15   (1994 Replacement Volume and 1998 Supplement)

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

18   **Article - Tax - Property**

19 2-105.

20   (a)   There is a supervisor for each county.

21   (b)   (1)   In this subsection and subsection (c) of this section, "appropriate
22 county official" means the Mayor of Baltimore City, the county commissioners or
23 county council of each county, or, if the county charter provides for a county executive,
24 the county executive with the approval of the county council.

25   (2)   Each supervisor:

1   (i)   shall be appointed by the Director; and

2   (ii)   shall be in the management service of the State Personnel
3 Management System.

4   (3)   The Director shall appoint each supervisor from a list of 5 qualified
5 individuals submitted to the Director by the appropriate county official. The Director
6 shall give the appropriate county official written notice that a vacancy exists in that
7 county. Unless the Director extends the period on written request from the
8 appropriate county official, the appropriate county official shall submit its list of
9 nominees to the Director on or before 60 days from the date the Director notifies the
10 official of the vacancy.

11   (4)   If the Director finds that none of the nominees on a list meets the
12 qualifications set under § 2-109 of this subtitle, the Director may reject all of them
13 and request the appropriate county official to provide a new list. If the appropriate
14 county official does not submit a new list within 20 days of receiving the Director's
15 request, the Director may appoint any qualified individual.

16   (c)   (1)   In addition to the qualifications set under § 2-109 of this subtitle, a
17 supervisor:

18   (i)   may not hold any other public office of profit;

19   (ii)   on appointment, need not be a resident of the county for which
20 the supervisor was appointed, but shall become a resident of the county after the
21 appointment is made; and

22   (iii)   may not continue to hold office after reaching the age of 70
23 years.

24   (2)   [In Baltimore City, the] THE appropriate county official may waive
25 the residency requirement of [item] PARAGRAPH (1)(ii) of this subsection.

26   (3)   IF THE APPROPRIATE COUNTY OFFICIAL NOMINATES AN
27 INDIVIDUAL UNDER SUBSECTION (B)(3) OF THIS SECTION WHO IS NOT CURRENTLY A
28 RESIDENT OF THE COUNTY, THE RESIDENCY REQUIREMENT OF PARAGRAPH (1)(II) OF
29 THIS SUBSECTION IS WAIVED FOR THAT INDIVIDUAL.

30   (d)   A supervisor may be removed from office only after a hearing before the
31 Department and a finding of incompetency or other cause.

32   (e)   The classifications and salaries of supervisors shall be set in accordance
33 with the provisions of Division I of the State Personnel and Pensions Article.

34 2-109.

35   The Secretary of Budget and Management, after consultation with the
36 Department, shall:

1   (1)   set schedules of classifications and salaries for all employees of the
2 Department in accordance with the provisions of Division I of the State Personnel and
3 Pensions Article; and

4   (2)   set minimum education or experience qualifications for:

5   (i)   all supervisors;

6   (ii)   all assessor classifications; and

7   (iii)   all clerical classifications in the Department.

8   SECTION 2.   AND BE IT FURTHER ENACTED, That this Act shall take
9 effect July 1, 1999.