

SENATE BILL 84

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2000 Regular Session
0lr1040
CF 0lr1200

By: **Senator Baker**
Introduced and read first time: January 13, 2000
Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 15, 2000

CHAPTER _____

1 AN ACT concerning

2 **Kent County - Sheriff's Salary and Benefits**

3 FOR the purpose of altering the salary of the Sheriff of Kent County for certain
4 calendar years; repealing certain authority of the Board of County
5 Commissioners of Kent County to establish a certain pension plan for the Kent
6 County Sheriff's department under a certain formula or certain amount and
7 applying to certain individuals under certain circumstances; providing that this
8 Act does not apply to the salary or compensation of the incumbent Sheriff of
9 Kent County; and generally relating to the salary of the Sheriff of Kent County.

10 BY repealing
11 Article 25 - County Commissioners
12 Section 3(g-2)
13 Annotated Code of Maryland
14 (1998 Replacement Volume and 1999 Supplement)

15 BY renumbering
16 Article 25 - County Commissioners
17 Section 3(g-3) through (g-5), respectively
18 to be Section 3(g-2) through (g-4), respectively
19 Annotated Code of Maryland
20 (1998 Replacement Volume and 1999 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article - Courts and Judicial Proceedings
23 Section 2-309(p)

1 Annotated Code of Maryland
2 (1998 Replacement Volume and 1999 Supplement)

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

5 **Article 25 - County Commissioners**

6 3.

7 [(g-2) In Kent County the Board of County Commissioners shall establish a
8 pension plan for the Kent County Sheriff's department which shall include the Sheriff
9 and each employee actively engaged in law enforcement. The plan shall provide
10 eligibility for retirement after 30 years' service regardless of age, and for early
11 retirement after 20 years' active service. Retirement income shall be 70 percent of
12 average earnings over the final three years' employment, reduced by 2 percent of this
13 average for every year of active service less than 30, less three quarters the amount of
14 social security benefits paid.

15 The plan shall be retroactive to include any living person who is working in law
16 enforcement at the time of the effective date of this Act or who has been engaged in
17 law enforcement within the department, and shall apply back to the date of that
18 employment. The plan shall contain disability provisions and death benefits for
19 spouse and minor children. Employee's contribution shall not exceed 7 percent on the
20 first \$9,000 of annual earnings plus 10 percent on annual earnings in excess of
21 \$9,000. There shall be a cost of living adjustment and a provision for a cash refund of
22 contributions, plus interest for persons terminating employment. This pension plan
23 shall become effective on or before January 1, 1978.]

24 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 3(g-3)
25 through (g-5), respectively, of Article 25 - County Commissioners of the Annotated
26 Code of Maryland be renumbered to be Section(s) 3(g-2) through (g-4), respectively.

27 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
28 read as follows:

29 **Article - Courts and Judicial Proceedings**

30 2-309.

- 31 (p) (1) The Sheriff of Kent County shall receive a salary of:
- 32 (I) [\$40,000] \$45,000 FOR THE CALENDAR YEAR 2003;
- 33 (II) \$46,000 FOR THE CALENDAR YEAR 2004;
- 34 (III) \$47,000 FOR THE CALENDAR YEAR 2005; AND
- 35 (IV) \$48,000 FOR THE CALENDAR YEAR 2006 AND EACH CALENDAR
- 36 YEAR THEREAFTER.

1 (2) [and, at] AT the discretion of the County Commissioners, THE
2 SHERIFF SHALL RECEIVE county-owned automobiles as may be necessary to operate
3 the Sheriff's department.

4 (3) The Sheriff shall appoint a chief deputy sheriff who shall receive a
5 salary of at least \$8,000.

6 (4) The Sheriff and the Sheriff's deputies shall be paid allowances as the
7 Commissioners may deem necessary.

8 [(2)] (5) The County Commissioners may authorize additional deputies
9 as necessary and shall set their compensation at the time of their appointment.

10 [(3)] (6) The County Commissioners may authorize the Sheriff to
11 appoint as part-time deputies individuals employed in specific plants, schools,
12 hospitals, institutions, business enterprises, and land development tracts situated
13 within Kent County who are limited to service only within the particular facility
14 where they are employed, and who may not be compensated by Kent County for their
15 services.

16 SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That, pursuant to Article III,
17 Section 35 of the Constitution of Maryland, Section 3 of this Act may not be construed
18 to extend or apply to the salary or compensation of the Sheriff of Kent County in office
19 on the effective date of this Act, but the provisions of this Act concerning the salary or
20 compensation of the Sheriff of Kent County shall take effect at the beginning of the
21 next following term of office.

22 SECTION ~~3~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take
23 effect ~~October~~ June 1, 2000.