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2001 Regular Session (1lr1527)

ENROLLED BILL

-- Judiciary/Judicial Proceedings --

Introduced by Charles	County Delegation	
	Read and Examined by Proofreaders:	
		Proofreader
		Proofreader.
	t Seal and presented to the Governor, for his approval this at o'clock,M.	
		Speaker
	CHAPTER	
1 AN ACT concerni	ng	
2	Charles County - Appointment of Deputy Sheriffs Office of the Sheriff	
4 County to requ	of altering the procedure for appointing deputy sheriffs in Charles uire the Sheriff of Charles County, <i>in accordance with certain rules</i> as, to appoint the number of deputy sheriffs that the Board of	

County Commissioners of Charles County considers and the Sheriff consider

necessary; altering the method for determining the salary for the Sheriff to reflect

changes in the Maryland State Police pay scale; repealing a requirement that the

County Commissioners enact a certain ordinance to provide for the powers and

Sheriff or the County Commissioners under certain circumstances; repealing a certain requirement that the Board of Public Safety approve certain promotions;

regulations that relate to certain employees in the Sheriff's office; requiring the

County Commissioners to provide for certain employees in the Sheriff's office in accordance with those rules and regulations; altering a certain requirement for

providing for the County Commissioners and the Sheriff to develop rules and

duties of the Charles County Board of Public Safety; requiring the Board of Public Safety to act as a neutral third party and convene at the request of the

1	the County Commissioners to provide by ordinance for a merit or classified		
2	service system for certain employees of the Sheriff's office; providing that this Act		
3	does not apply to the salary or compensation of the incumbent Sheriff of Charles		
4	County; and generally relating to the Sheriff of Charles County and the		
5	employees of the Sheriff's office.		
6	BY repealing and reenacting, with amendments,		
7	Article - Courts and Judicial Proceedings		
8	Section 2 309(j)(3) 2-309(j)		
9	Annotated Code of Maryland		
10	(1998 Replacement Volume and 2000 Supplement)		
11	BY repealing and reenacting, with amendments,		
12			
13	Section 125-4 C, $G(1)$, and K		
14	Article 9 - Public Local Laws of Maryland		
15	(1994 Edition and June 1998 Supplement, as amended)		
	<u> </u>		
16	BY repealing		
17	The Public Local Laws of Charles County		
18	Section 125-4 $D(2)(d)$		
19	Article 9 - Public Local Laws of Maryland		
20	(1994 Edition and June 1998 Supplement, as amended)		
21	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF		
	MARYLAND, That the Laws of Maryland read as follows:		
23	Article - Courts and Judicial Proceedings		
24	2-309.		
25			
25	(j) (1) The salary for the Sheriff of Charles County is equal to the salary of a		
	Department of State Police lieutenant colonel, [step L-13] STEP 14, under the		
	Department of State Police pay plan in effect on the day prior to the day that the Sheriff begins a term of office.		
20	<u>Sheriji begins a term of office.</u>		
29	(2) Any change in the salary paid under the Department of State Police		
	pay plan during the term of office of the Sheriff may not apply to the incumbent		
	Sheriff, but the changed rate shall take effect at the beginning of the next following		
	term of office.		
33	(j) (3) The [Board of Public Safety of Charles County] SHERIFF, <i>IN</i>		
	ACCORDANCE WITH RULES AND REGULATIONS DEVELOPED BY THE BOARD OF		
	<u>COUNTY COMMISSIONERS AND THE SHERIFF</u> , shall appoint the number of deputy		
	sheriffs [it deems] THAT THE BOARD OF COUNTY COMMISSIONERS OF CHARLES		
37	COUNTY CONSIDERS AND THE SHERIFF CONSIDER necessary.		

1 2	(4) The books of the Sheriff shall be audited annually, and copies of the audit published by the County Commissioners in local newspapers.
3	Article 9 - Charles County
4	<u>125-4.</u>
7 8 9 10 11 12 13	C. (1) The Board of Public Safety is composed of five members. Each member of the Board shall be a resident of Charles County for at least 2 years prior to their membership. Two of the members are County Commissioners appointed by the County Commissioners; the third member is appointed by the County Commissioners and may not be an elected official; and the fourth and fifth members are appointed by a majority of the representatives of Charles County to the Maryland General Assembly. Unless otherwise replaced by the County Commissioners, the members of the Board shall serve for 4 years, except that the members who also serve as County Commissioners shall serve from the time of the appointment until the following election for the County Commissioners.
17 18 19 20 21 22 23 24	(2) [The County Commissioners shall enact an ordinance which shall provide for those powers and duties of the Board of Public Safety. Before enacting the ordinance, the County Commissioners shall consult with and seek the advice of the Sheriff of Charles County and shall hold a public hearing on the proposed ordinance. At a minimum, the ordinance shall address those powers, if any, of the Board concerning the appointment and compensation of a Medical Examiner, employment of administrative personnel, application procedures, qualifications, and process for appointment of Deputy Sheriffs, and promotions.] THE BOARD OF PUBLIC SAFETY SHALL ACT AS A NEUTRAL THIRD PARTY, WHICH SHALL CONVENE, AT THE REQUEST OF EITHER THE SHERIFF OR THE COUNTY COMMISSIONERS, TO REVIEW PUBLIC SAFETY MATTERS THAT ARE OF SIGNIFICANT PUBLIC INTEREST OR CONCERN.
28 29	<u>D.</u> (2) [(d) The Board of Public Safety shall approve all promotions upon recommendation of the Sheriff to the extent provided by ordinance adopted by the County Commissioners under Subsection C(2) of this section. Such promotions shall become effective only upon the concurrence of the County Commissioners and shall be subject to the availability of funds budgeted for such promotions.]
33 34 35 36 37 38 39 40 41 42	of the Sheriff as approved by the County Commissioners. These personnel shall not be

- 1 K. The Board of County Commissioners shall ENACT AN ORDINANCE WHICH
- 2 SHALL provide a merit or classified service system to which all [of the members]
- 3 FULL-TIME EMPLOYEES of the Sheriff's office, except the Sheriff AND THE SHERIFF'S
- 4 APPOINTEES, shall be subject. [The merit or classified service system shall be
- 5 established as a part of the ordinance required under Subsection (c)(2) of this section.]
- 6 <u>SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,</u>
- 7 Section 35 of the Constitution of Maryland, this Act may not be construed to extend or
- 8 apply to the salary or compensation of the Sheriff of Charles County in office on the
- 9 effective date of this Act, but the provisions of this Act concerning the salary or
- 10 compensation of the Sheriff of Charles County shall take effect at the beginning of the
- 11 next following term of office.
- 12 SECTION 2. 3. AND BE IT FURTHER ENACTED, That this Act shall take 13 effect October 1, 2001.