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By: **Senator Hafer**

Introduced and read first time: February 10, 2006

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Allegany County - Salary Study Commission - Recommendations and**  
3 **Establishment of Recommended Salaries**

4 FOR the purpose of requiring the Allegany County Salary Study Commission to meet  
5 with certain persons who hold certain offices for certain purposes before  
6 submitting certain recommendations to the Board of County Commissioners of  
7 Allegany County; providing that, notwithstanding a certain provision of law, the  
8 Board of County Commissioners of Allegany County shall set by local law the  
9 salaries of certain offices by a certain date; providing that, beginning with the  
10 terms of certain members of the Allegany County Salary Study Commission,  
11 certain appointments to and meetings and duties of the Salary Study  
12 Commission and the establishment of certain salaries recommended by the  
13 Salary Study Commission shall be in accordance with certain provisions of law;  
14 and generally relating to the Allegany County Salary Study Commission and the  
15 establishment of certain salaries by the Board of County Commissioners of  
16 Allegany County.

17 BY repealing and reenacting, with amendments,  
18 Article 24 - Political Subdivisions - Miscellaneous Provisions  
19 Section 12-105  
20 Annotated Code of Maryland  
21 (2005 Replacement Volume)

22 BY repealing and reenacting, without amendments,  
23 Article 24 - Political Subdivisions - Miscellaneous Provisions  
24 Section 12-106  
25 Annotated Code of Maryland  
26 (2005 Replacement Volume)

27 Preamble

28 WHEREAS, Article 24, § 12-103 of the Annotated Code of Maryland requires  
29 the Board of County Commissioners of Allegany County to solicit recommendations  
30 for members of the Allegany County Salary Study Commission from certain county

1 organizations listed in that provision every 4 years beginning in 1992, and the  
2 organizations are required to recommend appointees to the Board of County  
3 Commissioners; and

4 WHEREAS, Article 24, § 12-103 of the Code also requires the Board of County  
5 Commissioners to appoint the members of the Salary Study Commission before  
6 September 30, 1992, and before September 30 every 4th year thereafter; and

7 WHEREAS, Article 24, § 12-104 of the Code requires the Salary Study  
8 Commission to meet before January 1, 1993, and before January 1 every 4th year  
9 thereafter; and

10 WHEREAS, Article 24, § 12-105(b) of the Code requires the Salary Study  
11 Commission to make recommendations regarding salaries of the offices listed in  
12 Article 24, § 12-105(a) to the Board of County Commissioners before January 30,  
13 1993, and before January 30 every 4th year thereafter; and

14 WHEREAS, Article 24, § 12-106(a) of the Code requires the Board of County  
15 Commissioners to set by local law the salary for each office included in the  
16 recommendations of the Salary Study Commission within 45 days after receiving the  
17 recommendations of the Commission; and

18 WHEREAS, The Board of County Commissioners did not solicit  
19 recommendations for members of the Allegany County Salary Study Commission or  
20 appoint the members of the Allegany County Salary Study Commission in 2004 in  
21 accordance with Article 24, § 12-103 but appointed the members of the Salary Study  
22 Commission on or before September 30, 2005; and

23 WHEREAS, The Allegany County Salary Study Commission did not meet before  
24 January 1, 2005, but did meet before January 1, 2006; and

25 WHEREAS, The Salary Study Commission did not make recommendations  
26 regarding salaries of the offices listed in Article 24, § 12-105(a) to the Board of  
27 County Commissioners before January 30, 2005, but did make recommendations to  
28 the Board of County Commissioners on or before January 1, 2006; now, therefore,

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

31 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

32 12-105.

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

34 (1) The Allegany County Board of County Commissioners;

35 (2) The Allegany County Board of Education;

36 (3) The Allegany County Board of License Commissioners;

- 1 (4) The Allegany County Board of Supervisors of Elections;
- 2 (5) The Judges of the Orphans' Court in Allegany County; and
- 3 (6) The Sheriff of Allegany County.

4 (b) Before January 30, 1993, and before January 30 every 4th year thereafter,  
5 the Commission shall make recommendations regarding salaries of the offices in  
6 subsection (a) of this section to the County Commissioners.

7 (C) BEFORE THE COMMISSION SUBMITS ITS RECOMMENDATIONS REGARDING  
8 SALARIES OF THE OFFICES IN SUBSECTION (A) OF THIS SECTION TO THE COUNTY  
9 COMMISSIONERS, THE COMMISSION SHALL MEET WITH EACH PERSON WHO HOLDS  
10 AN OFFICE LISTED IN SUBSECTION (A) OF THIS SECTION IN ORDER TO:

11 (1) ACQUAINT THE COMMISSION WITH THE DUTIES AND  
12 RESPONSIBILITIES OF THOSE PUBLIC OFFICIALS;

13 (2) OBTAIN ANY ADDITIONAL INFORMATION THAT THE COMMISSION  
14 BELIEVES WOULD BE HELPFUL TO COMPLETE ITS WORK; AND

15 (3) PROVIDE AN OPPORTUNITY FOR THE PUBLIC OFFICIALS TO EXPRESS  
16 THEIR OPINIONS ABOUT THE APPROPRIATE COMPENSATION FOR THE OFFICES.

17 12-106.

18 (a) Within 45 days after receiving the recommendations of the Commission,  
19 the County Commissioners shall set by local law the salary for each office included in  
20 the recommendations:

21 (1) Subject to subsection (b) of this section; and

22 (2) With respect to a public official, in accordance with Article III, § 35 of  
23 the Maryland Constitution.

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

26 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding Article  
27 24, § 12-106(a) of the Code, on or before July 1, 2006, the Board of County  
28 Commissioners of Allegany County shall set by local law the salary for each office  
29 included in the recommendations of the Allegany County Salary Study Commission.  
30 Beginning with the terms of the members of the Allegany County Salary Study  
31 Commission to be appointed in 2008, the appointment of members to and the  
32 meetings and duties of the Allegany County Salary Study Commission and the  
33 establishment of the salaries recommended by the Allegany County Salary Study  
34 Commission shall be in accordance with Article 24, Title 12, Subtitle 1 of the Code.

35 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
36 June 1, 2006.

