
By: **Senator Hafer**

Introduced and read first time: February 10, 2006

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 16, 2006

Committee Report: Favorable

Senate action: Adopted

Read second time: April 3, 2006

CHAPTER _____

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

1 Annotated Code of Maryland
2 (2005 Replacement Volume)

3 Preamble

4 WHEREAS, Article 24, § 12-103 of the Annotated Code of Maryland requires
5 the Board of County Commissioners of Allegany County to solicit recommendations
6 for members of the Allegany County Salary Study Commission from certain county
7 organizations listed in that provision every 4 years beginning in 1992, and the
8 organizations are required to recommend appointees to the Board of County
9 Commissioners; and

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

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

16 WHEREAS, Article 24, § 12-105(b) of the Code requires the Salary Study
17 Commission to make recommendations regarding salaries of the offices listed in
18 Article 24, § 12-105(a) to the Board of County Commissioners before January 30,
19 1993, and before January 30 every 4th year thereafter; and

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

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

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

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

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

Article 24 - Political Subdivisions - Miscellaneous Provisions

12-105.

(a) The Commission shall study the salaries of:

(1) The Allegany County Board of County Commissioners;

(2) The Allegany County Board of Education;

(3) The Allegany County Board of License Commissioners;

(4) The Allegany County Board of Supervisors of Elections;

(5) The Judges of the Orphans' Court in Allegany County; and

(6) The Sheriff of Allegany County.

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

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

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

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

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

12-106.

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

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

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

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

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

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