

HOUSE BILL 838

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CF SB 561

By: **Delegates Dumais, Cardin, DeBoy, Feldman, Gilchrist, Kaiser, Kramer, Malone, Manno, Minnick, Montgomery, Olszewski, and Stein**

Introduced and read first time: February 9, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Register of Wills – Cost-of-Living Adjustment to Salary**

3 FOR the purpose of providing a certain cost-of-living adjustment to the salary of a
4 register of wills that is awarded in the same percentage and at the same time as
5 that awarded to a State employee; making stylistic changes; providing that this
6 Act does not apply to the salary or compensation of a register of wills during a
7 certain term of office; and generally relating to the salary of a register of wills.

8 BY repealing and reenacting, without amendments,

9 Article – Estates and Trusts

10 Section 2–205(a)

11 Annotated Code of Maryland

12 (2001 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – Estates and Trusts

15 Section 2–205(b)

16 Annotated Code of Maryland

17 (2001 Replacement Volume and 2009 Supplement)

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

20 **Article – Estates and Trusts**

21 2–205.

22 (a) (1) It is the intent of this section that each register shall receive a fair
23 and adequate compensation for the effort and duties required of the register by the
24 register's office.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The volume and character of work done by the register shall be in
2 comparison to the salary fixed by the Board of Public Works for each of the other
3 registers.

4 (b) (1) (I) Each register is entitled to receive an annual salary of not
5 more than \$98,500, to be determined in each instance by the Board of Public Works.

6 (II) **EACH REGISTER IS ENTITLED TO A COST-OF-LIVING**
7 **ADJUSTMENT AWARDED IN THE SAME PERCENTAGE AND AT THE SAME TIME AS**
8 **THAT AWARDED TO A STATE EMPLOYEE.**

9 (2) In determining the annual salary of the register, the Board of
10 Public Works shall be guided in the exercise of its discretion by:

11 (i) The population of the county determined by the last official
12 United States census;

13 (ii) The dollar volume of total fees and taxes collected and
14 excess fees turned over to the State for each of the preceding 5 years by the office of
15 the register for which the salary is being fixed; and

16 (iii) Other pertinent data which have relation to the
17 reasonableness of the salary in relation to the work done and volume handled by the
18 office.

19 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
20 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
21 the salary or compensation of the registers of wills during a term of office beginning
22 before the effective date of this Act, but the provisions of this Act concerning the salary
23 or compensation of a register of wills shall take effect at the beginning of the next
24 following term of office.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2010.