

**AmendmentSB545AOTOC - SB0545-463626-01.pdf**

Uploaded by: Justin Ready

Position: FAV

**SB0545/000000/00**

**ANNL SB0545/463626/1**

BY: Carroll County Senators

(To be offered in the Education, Health, and Environmental  
Affairs Committee)

AMENDMENT TO SENATE BILL 545

(First Reading File Bill)

On page 4, in line 21, strike "1" and substitute "6".

# **CarrollCommissionerComp2022docx.pdf**

Uploaded by: Justin Ready

Position: FAV

JUSTIN READY  
*Legislative District 5*  
Carroll County

—  
MINORITY WHIP

—  
Finance Committee



James Senate Office Building  
11 Bladen Street, Room 315  
Annapolis, Maryland 21401  
410-841-3683 • 301-858-3683  
800-492-7122 Ext. 3683  
Justin.Ready@senate.state.md.us

THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**February 17, 2022**

**SB 545 Carroll County - Commissioners - Compensation and Benefits**

Chairman Pinsky, Vice Chair Kagan, and members of the Education, Health, and Environmental Committee,

Senate Bill 545 makes several adjustments to the compensation for future Carroll County Commissioners.

- 1) Raises the annual salary of the commissioners from \$45,000 to \$50,000.
- 2) Replaces allowance now provided to Commissioners and instead entitles them to reimbursement incurred during official duties.
- 3) prohibits the Carroll County Board of County Commissioners from offering group insurance or pension benefits to the county commissioners that are different from similar benefits offered to full-time county employees.

The bill applies only prospectively, and provisions related to salary or compensation take effect at the beginning of the next term of office.

Approved 2-0 by Carroll County Senators.

I respectfully request a favorable report on Senate Bill 545

# **CommissionerCompVotingSheet2022.pdf**

Uploaded by: Justin Ready

Position: FAV

Carroll County Delegation Meeting

Thursday January 20, 2022

via Zoom

SB 545

Voting on Bill

Board of Commisuners Compensation

Sen Ready	<u>Yes</u>	No
Sen Hough	<u>Yes</u>	No
Sen Hester	Yes	No abstain
Del Krebs	<u>Yes</u>	No
Del Shoemaker	<u>Yes</u>	No
Del Rose	<u>Yes</u>	No
Del Cox	Yes	No absent
Del Kittleman	<u>Yes</u>	No
Del Ciliberti	<u>Yes</u>	No
Del Pippy	Yes	No abstain
Del Novotny	<u>Yes</u>	No

# **SB545Commissioner CompLOS.pdf**

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Position: FAV

JUSTIN READY  
*Legislative District 5*  
Carroll County

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THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

February 17, 2022

The Honorable Paul Pinsky  
Miller Senate Office Building  
2 West  
Annapolis, Maryland 21401

Chairman Pinsky, Vice Chair Kagan and members of the Environmental, Health, and Environmental Affairs Committee,

The Carroll County Senate Delegation supports Senate Bill 545, Carroll County - Commissioners - Compensation and Benefits. The Carroll County Senators voted 2-0 in favor of the bill with one abstention.

Sincerely,

A handwritten signature in black ink that reads "Justin Ready".

Senator Justin Ready  
Carroll County Senate Chairman



**SB545CarrollCommissionersFWA.pdf**

Uploaded by: Michael Fowler

Position: FWA

## Board of County Commissioners

Edward C. Rothstein, President  
C. Richard Weaver, Vice President  
C. Eric Bouchat  
Dennis E. Frazier  
Stephen A. Wantz



## Carroll County Government

225 North Center Street  
Westminster, Maryland 21157  
410-386-2043; 1-888-302-8978  
fax 410-386-2485  
MD Relay 711/800-735-2258

February 11, 2022

The Honorable Paul G. Pinsky, Chair  
Education, Health, and Environmental Affairs Committee  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

### **Re: SB545 – Carroll County - Commissioners – Compensation and Benefits – Favorable with Amendment**

Dear Chair Pinsky and Members of the Committee,

We respectfully oppose SB545 as written and suggest steps to make the bill acceptable. The bill prescribes County Commissioner compensation and benefits in the form of salary, expenses, and authorization to participate in health insurance and pension programs available to county employees. Carroll County has for many years offered health care and pension benefits to the Board of Commissioners that differ slightly from what is offered to other employees, having significantly reduced their scope in 2018. A deeper look at the laws surrounding the issues of commissioner salary and compensation raises a number of questions regarding ambiguities in language and a lack of clear direction.

This confusion begins with Article VII of the Maryland Constitution:

“Article VII – Sundry Officers, Subsection 2. Number, *salary* and responsibilities of County Commissioners

The number, *compensation*, and powers and duties of the County Commissioners of each county not governed by Article XI-A of this Constitution shall be such as now are or may be hereafter prescribed by law.” (*Emphasis added*)

As you see, the commissioners are deemed to be officers. This is critical in determining their powers regarding health insurance and pension plans. In addition, the terms “salary” and “compensation” are used interchangeably, yet in other parts of the law we see these terms used independently.

Further, the Local Government Article, Division III, Title 12, Subsection 2 states:

“(C) The governing body of a county may:

- (1) Establish a pension plan or group insurance plan for the benefit of its officers and employees; and
- (2) Establish classifications and eligibility criteria for each pension plan or group insurance program.”

Clearly the Board of Commissioners is authorized as the governing body to establish the plans and programs referenced above and to establish classifications and criteria for said plans for its officers and employees. Since Article VII has deemed the commissioners to be officers, the Board is therefore authorized to establish classifications and criteria for each program and to qualify as officers, making them eligible for participation.

Finally, even the title of the bill lends to this confusion of language by referring to compensation and benefits as being separate matters. Given these ambiguities and confusion in language, we respectfully request that the portions of the bill regarding health insurance and pension plan programs be stricken, and that the issue be studied during the interim with the intent of further defining in Maryland law such terms as salary, compensation, and benefits; by making applicable language clear and consistent; and by providing a clear definition of officers.

For these reasons we respectfully request SB545 be amended as proposed.

Sincerely,

THE BOARD OF COUNTY COMMISSIONERS OF CARROLL COUNTY



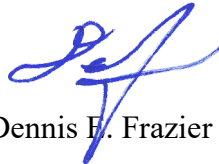
Edward C. Rothstein (COL, Ret.)  
President



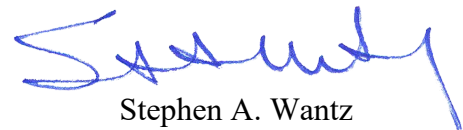
C. Richard Weaver  
Vice President



C. Eric Bouchat



Dennis F. Frazier



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