

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2015, Legislative Day No. 16

Bill No. 49-15

Introduced by Mr. Walker, Chairman
(by request of the County Executive)

By the County Council, May 12, 2015

Introduced and first read on May 12, 2015
Public Hearing set for and held on June 1, 2015
Public Hearing on AMENDED BILL set for and held on June 15, 2015
Public Hearing on SECOND AMENDED BILL set for and held on July 6, 2015
Bill Expires August 15, 2015

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: ~~Employees' and Police Service Retirement Plans Plan~~ –
2 County Attorney and Chief of Police – Retirement Dates Date

3
4 FOR the purpose of amending the method of determining the retirement ~~dates~~ date for the
5 County Attorney and Chief of Police; and generally related to the ~~Employees' and~~
6 Police Service Retirement ~~Plans~~ Plan.

7
8 BY repealing and reenacting, with amendments: §§ ~~5-3-302(a)(4) and (5); and 5-5-202~~
9 Anne Arundel County Code (2005, as amended)

10
11 BY adding: § ~~5-3-302(a)(6)~~
12 Anne Arundel County Code (2005, as amended)

13
14 SECTION 1. *Be it enacted by the County Council of Anne Arundel County,*
15 *Maryland,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as
16 follows:

17
18 **ARTICLE 5. PENSIONS**

19
20 **~~TITLE 3. EMPLOYEES' RETIREMENT PLAN~~**

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EXPLANATION: CAPITALS indicate new matter added to existing law.
[Brackets] indicate matter stricken from existing law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

5-3-302. Determination of normal retirement date and early retirement date.

~~— (a) Normal retirement date. EXCEPT AS PROVIDED IN SUBSECTION (6), A [A] participant's normal retirement date is the first day of the month coinciding with or next following the earlier of:~~

~~— (4) for a participant in the Employees' Retirement Plan who is a County Councilmember whose first term begins on or after December 1, 2014:~~

~~— (i) the participant's 60th birthday and completion of actual plan service plus transferred service under § 5-1-302 totaling 10 years; or~~

~~— (ii) the completion of 30 years of credited service; [or]~~

~~— (5) for a participant in the Employees' Retirement Plan who is an exempt employee hired under § 6-2-101 or § 6-2-103 of this Code, or a County Executive, who is hired on or after December 1, 2014:~~

~~— (i) the participant's 60th birthday and completion of actual plan service plus transferred service under § 5-1-302 totaling eight years; or~~

~~— (ii) the completion of 30 years of credited service[.]; OR~~

~~— (6) FOR A PARTICIPANT APPOINTED TO BE THE COUNTY ATTORNEY, THE NORMAL RETIREMENT DATE IS THE FIRST DAY OF THE MONTH COINCIDING WITH OR NEXT FOLLOWING THE EARLIER OF:~~

~~— (I) THE NORMAL RETIREMENT DATE DETERMINED UNDER SUBSECTION (5); OR~~

~~— (II) IN THE EVENT THAT THE PARTICIPANT HAS REACHED AGE 50, HAS AT LEAST EIGHT YEARS OF ACTUAL PLAN SERVICE AND IS REMOVED FROM OFFICE TERMINATED BY THE SAME COUNTY EXECUTIVE WHO APPOINTED THE PARTICIPANT WITHOUT EVIDENCE OF WILLFUL MISCONDUCT BY THE PARTICIPANT, THE DATE OF SEPARATION FROM EMPLOYMENT; AND~~

~~— (III) FOR THE PURPOSES OF THIS SUBSECTION PARAGRAPH(6)(II), "WILLFUL MISCONDUCT" MEANS CONDUCT THAT INCLUDES, BUT IS NOT LIMITED TO, A KNOWING VIOLATION OF A LAW, REGULATION, OR POLICY; INTENTIONAL DISREGARD FOR THE BEST INTERESTS OF THE COUNTY, ITS EMPLOYEES OR ITS CITIZENS, OR FOR THE RIGHTS OR SAFETY OF ITS EMPLOYEES OR CITIZENS; ACTS OF DISHONESTY, DISLOYALTY OR MORAL TURPITUDE; OR ACTS OR OMISSIONS OF SUCH A NATURE OR SO RECURRENT AS TO MANIFEST A WILLFUL DISREGARD OF THE DUTIES AND OBLIGATIONS OF THE POSITION HELD.~~

TITLE 5. POLICE SERVICE RETIREMENT PLAN

5-5-202. Determination of normal retirement date.

EXCEPT AS PROVIDED IN SUBSECTION (3), A [A] participant's normal retirement date is the first of the month coinciding with or next following the earlier of:

(1) for a participant hired on or after February 25, 2002:

1 (i) The participant's 50th birthday and the completion of five years of actual
2 plan service; or

3
4 (ii) The participant's completion of actual plan service plus disability leave
5 service totaling 20 years; [or]

6
7 (2) for a participant hired before February 25, 2002, the participant's 50th
8 birthday or the completion of actual plan service plus transferred service under § 5-1-304
9 and disability leave service totaling 20 years[.]; OR

10
11 (3) FOR A PARTICIPANT APPOINTED TO BE THE CHIEF OF POLICE, THE FIRST OF
12 THE MONTH COINCIDING WITH OR NEXT FOLLOWING THE EARLIER OF:

13
14 (I) THE NORMAL RETIREMENT DATE DETERMINED UNDER SUBSECTIONS (1)
15 OR (2); OR

16
17 (II) IN THE EVENT THAT THE PARTICIPANT HAS COMPLETED AT LEAST 15
18 YEARS OF ACTUAL PLAN SERVICE AND IS ~~REMOVED~~ TERMINATED BY THE SAME COUNTY
19 EXECUTIVE WHO APPOINTED THE PARTICIPANT WITHOUT EVIDENCE OF WILLFUL
20 MISCONDUCT BY THE PARTICIPANT, THE DATE OF SEPARATION FROM EMPLOYMENT;
21 AND

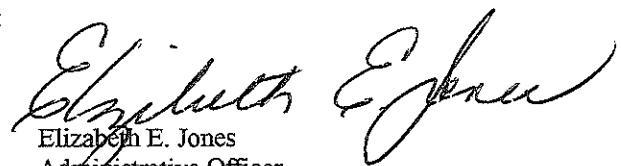
22
23 (III) FOR THE PURPOSES OF ~~THIS SUBSECTION~~ PARAGRAPH (3)(II), "WILLFUL
24 MISCONDUCT" MEANS ~~CONDUCT THAT INCLUDES, BUT IS NOT LIMITED TO,~~ A KNOWING
25 VIOLATION OF A LAW, REGULATION, OR POLICY; INTENTIONAL DISREGARD FOR THE
26 BEST INTERESTS OF THE COUNTY, ~~ITS EMPLOYEES OR ITS CITIZENS,~~ OR FOR THE RIGHTS
27 OR SAFETY OF ITS EMPLOYEES OR CITIZENS; ~~ACTS OF DISHONESTY, DISLOYALTY OR~~
28 ~~MORAL TURPITUDE; OR, ACTS OR OMISSIONS OF SUCH A NATURE OR SO RECURRENT AS~~
29 ~~TO MANIFEST A WILLFUL DISREGARD OF THE DUTIES AND OBLIGATIONS OF THE~~
30 POSITION HELD.

31
32 SECTION 2. *And be it further enacted,* That the provisions of this Ordinance shall
33 take effect 45 days from the date it becomes law.

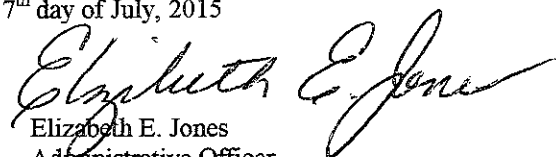
AMENDMENTS ADOPTED: June 1 and 15, 2015

READ AND PASSED this 6th day of July, 2015

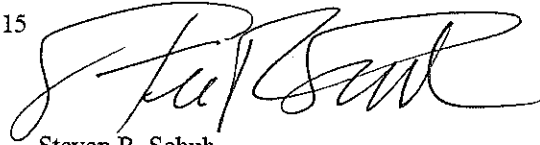
By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for his approval this 7th day of July, 2015


Elizabeth E. Jones
Administrative Officer

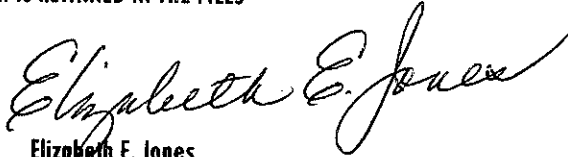
APPROVED AND ENACTED this 13 day of July, 2015



Steven R. Schuh
County Executive

EFFECTIVE DATE: August 27, 2015

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
49-15 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer