

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2013, Legislative Day No. 36

Bill No. 72-13

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

By the County Council, September 3, 2013

Introduced and first read on September 3, 2013
Public Hearing set for and held on October 7, 2013
Public Hearing on AMENDED BILL set for and held on October 21, 2013
Bill Expires December 7, 2013

By Order: Elizabeth E. Jones, Administrative Officer

A BILL ENTITLED

- 1 AN ORDINANCE concerning: Personnel - Anne Arundel County Police Department
- 2
- 3 FOR the purpose of placing certain exempt positions in the Anne Arundel County Police
- 4 Department by adding certain positions to the exempt service and deleting positions in the
- 5 classified service; providing for the pay, pension benefits, and financial disclosure
- 6 requirements applicable to the positions added to the exempt service; providing for the
- 7 manner of appointing Police Majors and for the reinstatement of a Police Major to the
- 8 position of Police Captain; providing for the transition of positions with incumbent
- 9 employees in the classified service; and generally relating to personnel.
- 10
- 11 BY repealing and reenacting, with amendments: §§ 5-3-103(a)(2); 5-5-102(2); 6-2-101(a);
- 12 and 6-2-103
- 13 Anne Arundel County Code (2005, as amended)
- 14
- 15 BY renumbering: § 7-6-101(a)(20), and (21) through (84) to be § 7-6-101(a)(21), and (24)
- 16 through (87), respectively
- 17 Anne Arundel County Code (2005, as amended)

EXPLANATION: CAPITALS indicate new matter added to existing law.
 [Brackets] indicate matter stricken from existing law.
 Asterisks***indicate existing Code provisions in a list or chart that remain unchanged.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 BY adding: §§ 6-2-108 and 7-6-101(a)(20), (22), and (23)
2 Anne Arundel County Code (2005, as amended)

3
4 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
5 *That § 7-6-101(a)(20), and (21) through (84) of the Anne Arundel County Code (2005, as*
6 *amended) is hereby renumbered to be § 7-6-101(a)(21), and (24) through (87), respectively.*

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8 SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County
9 Code (2005, as amended) read as follows:

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11 **ARTICLE 5. PENSIONS**

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13 **TITLE 3. EMPLOYEES' RETIREMENT PLAN**

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15 **5-3-103. Participants.**

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17 (a) **Generally.** The participants in the plan are the following permanent full-time and
18 permanent part-time employees who work at least 50% of the amount of time specified for
19 the position:

20
21 (2) appointed officials and elected officials, except for:

22
23 (i) a Chief of Police, AN ASSISTANT CHIEF OF POLICE, OR A POLICE MAJOR who
24 elects to be a participant in the Police Service Retirement Plan;

25
26 (ii) a Fire Chief who elects to be a participant in the Fire Service Retirement Plan;
27 and

28
29 (iii) a Superintendent of Detention Facilities who elects to be a participant in the
30 Detention Officers' and Deputy Sheriffs' Retirement Plan;

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32 **TITLE 5. POLICE SERVICE RETIREMENT PLAN**

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34 **5-5-102. Participants.**

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36 The participants in the plan are the following paid employees of the County listed in
37 subsections (1) and (2) who are making contributions to the plan and are designated as either
38 category I or II participants as follows:

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40 (2) Category II participants include:

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42 (i) Police Sergeant;

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44 (ii) Police Lieutenant;

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46 (iii) Police Captain;

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(iv) Police Major;

(v) Deputy Police Chief; and

(vi) by election, the Chief of Police, THE ASSISTANT CHIEF OF POLICE, AND A POLICE MAJOR.

ARTICLE 6. PERSONNEL

TITLE 2. EXEMPT SERVICE

6-2-101. Exempt pay and benefit plan.

(a) **Pay grades.** The following officers and employees in the exempt service of the County are entitled to compensation at the indicated pay grade:

Chief of Police	E8
ASSISTANT CHIEF OF POLICE	E7
POLICE MAJOR	E6
POLICE CHIEF OF STAFF	E5

6-2-103. Additional exempt positions.

In addition to the positions established in § 802 of the Charter for the exempt service, there are the following positions in the exempt service whose number and classification are approved as part of the annual budget and appropriation ordinance, that may not be changed during a fiscal year except as approved by ordinance of the County Council:

(16) Human Services Officer; [and]

(17) Land Use and Environment Officer;

(18) ASSISTANT CHIEF OF POLICE;

(19) THREE POLICE MAJORS; AND

(20) POLICE CHIEF OF STAFF (CIVILIAN).

6-2-108. Police Major positions.

(A) Promotion from Police Captain. THE CHIEF OF POLICE SHALL APPOINT A PERSON TO THE POSITION OF POLICE MAJOR IN THE EXEMPT SERVICE WHO AT THE TIME OF APPOINTMENT

1 IS A POLICE CAPTAIN IN THE CLASSIFIED SERVICE.

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3 (B) Reinstatement to Police Captain. UNLESS THE REMOVAL IS BASED ON ACTION
4 GOVERNED BY THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS, A PERSON REMOVED BY
5 THE CHIEF OF POLICE FROM THE POSITION OF POLICE MAJOR IN THE EXEMPT SERVICE HAS THE
6 RIGHT TO A NON-COMPETITIVE ADMINISTRATIVE PLACEMENT TO THE POSITION OF POLICE
7 CAPTAIN IN THE CLASSIFIED SERVICE WITH THE PERSON'S PAY IN THE POSITION OF POLICE
8 CAPTAIN TO BE GOVERNED BY § 6-1-209(D)(1).

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10 **ARTICLE 7. PUBLIC ETHICS**

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12 **TITLE 6. FINANCIAL DISCLOSURE**

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14 **7-6-101. Persons required to file statements.**

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16 (a) **Generally.** Each of the following and each candidate for County Executive or the
17 County Council shall file with the Ethics Commission the statements provided for in this title:

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19 (20) THE ASSISTANT CHIEF OF POLICE;

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21 (22) EACH POLICE MAJOR (EXEMPT SERVICE);

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23 (23) THE POLICE CHIEF OF STAFF;

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25 SECTION 3. *And be it further enacted,* That the three exempt positions of Police Major
26 replace the three classified positions of Police Major, but only after the current occupants of
27 the classified positions of Police Major vacate those positions. Classified service Police Major
28 positions will be eliminated when vacated and an individual appointed to the position of Police
29 Major in the exempt service. The classified position of Deputy Police Chief will be eliminated
30 after the current occupant of the position vacates the position.

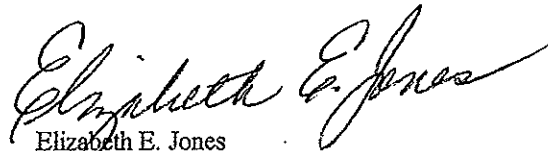
31
32 SECTION 4. *And be it further enacted,* That in accordance with § 6-2-103 of the Anne
33 Arundel County Code (2005, as amended) this Ordinance shall approve an increase in the
34 Exempt Service of one Assistant Chief of Police, one Police Chief of Staff, and three Police
35 Majors approved in these classifications as part of the Annual Budget and Appropriation
36 Ordinance.

37
38 SECTION 5. *And be it further enacted,* That this Ordinance shall take effect 45 days from
39 the date it becomes law.

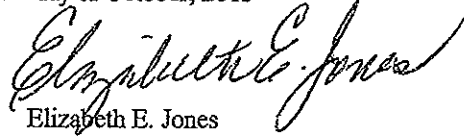
AMENDMENTS ADOPTED: October 7, 2013

READ AND PASSED this 21st day of October, 2013

By Order:


Elizabeth E. Jones
Administrative Officer

PRESENTED to the County Executive for her approval this 22nd day of October, 2013



Elizabeth E. Jones
Administrative Officer

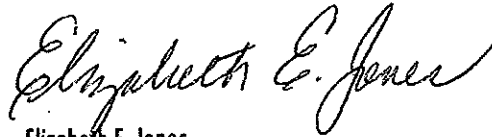
APPROVED AND ENACTED this 28th day of October, 2013



Laura Neuman
County Executive

EFFECTIVE DATE December 12, 2013

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF BILL NO.
72-13, THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Elizabeth E. Jones
Administrative Officer

