

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2001 Legislative Session

Bill No. CB-8-2001
 Chapter No. 4
 Proposed and Presented by The Chairman (by request – County Executive)
 Introduced by Council Members Russell, Bailey and Scott
 Co-Sponsors _____
 Date of Introduction February 27, 2001

BILL

1 AN ACT concerning

2 Prince George's County Deputy Sheriff's and Correctional Officer's Pension Plans
 3 For the purpose of approving by legislative act an amendment to the Deputy Sheriff's and
 4 Correctional Officer's Pension Plans regarding the determination of disability benefits.

5 WHEREAS, Section 16-231(b) of the Prince George's County Code authorizes the County
 6 Executive to establish a pension plan for all uniformed employees occupying classified service
 7 positions allocated to public safety classes of work within the Sheriff's Department; and

8 WHEREAS, Section 16-231(b) of the Prince George's County Code provides that, upon
 9 establishment, a pension plan for all uniformed employees occupying classified service positions
 10 allocated to public safety classes of work within the Sheriff's Department may not be amended to
 11 lessen the benefits provided therein, unless such amendments are approved by legislative act of
 12 the County Council; and

13 WHEREAS, pursuant to CB-92-1984, Prince George's County, Maryland, adopted the
 14 Deputy Sheriff's Pension Plan (Deputy Sheriff's Pension Plan), effective June 30, 1985. Pursuant
 15 to Section 3C.1(b)(1) of the Deputy Sheriff's Pension Plan, the Disability Review Board for the
 16 Deputy Sheriff's Pension Plan established the Disability Review Board Rules of Administrative
 17 Procedure for the Deputy Sheriff's Pension Plan, effective July 1, 1996; and

18 WHEREAS, by Executive Order No. 17-1996, the Board of Trustees and the County
 19 Executive approved the Deputy Sheriff's Pension Plan (As Amended and Restated, Effective July
 20 1, 1996). The Disability Review Board for the Deputy Sheriff's Pension Plan approved Section
 21 9(h) of the Disability Review Board Rules of Administrative Procedure, regarding requirements

1 for disability determinations for service-connected disabilities at a meeting of the Disability
2 Review Board for the Deputy Sheriff's Pension Plan on July 1, 1996; and

3 WHEREAS, Section 16-231(c) of the Prince George's County Code authorizes the County
4 Executive to establish a pension plan for employees occupying public safety classes of work
5 within the Department of Corrections, subject to approval by legislative act of the County
6 Council; and

7 WHEREAS, Section 16-231(c) of the Prince George's County Code authorizes the County
8 Executive to amend a pension plan for employees occupying public safety classes of work within
9 the Department of Corrections, subject to approval by legislative act of the County Council; and

10 WHEREAS, pursuant to CB-139-1989, Prince George's County, Maryland, adopted the
11 Prince George's County Correctional Officer's Pension Plan (Correctional Officer's Pension
12 Plan), effective July 1, 1990. Pursuant to Section 3C.1(b)(1) of the Correctional Officer's
13 Pension Plan, the Disability Review Board for the Correctional Officer's Pension Plan
14 established the Disability Review Board Rules of Administrative Procedure for the Correctional
15 Officer's Pension Plan, effective August 8, 1996; and

16 WHEREAS, pursuant to CB-95-1995, the Board of Trustees and the County Executive
17 approved the Correctional Officer's Pension Plan (As Amended and Restated, Effective July 1,
18 1996). The Disability Review Board for the Correctional Officer's Pension Plan approved
19 Section 9(h) of the Disability Review Board Rules of Administrative Procedure, regarding
20 requirements for disability determinations for service-connected disabilities at a meeting of the
21 Disability Review Board for the Correctional Officer's Pension Plan on August 8, 1996.

22 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
23 Maryland, that the Prince George's County Deputy Sheriff's Pension Plan be amended, said
24 amendment, attached hereto and made a part herein, be and is hereby approved, upon the
25 effective date of this Act.

26 SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's
27 County, Maryland, that the Prince George's County Correctional Officer's Pension Plan be
28 amended, said amendment, attached hereto and made a part herein, be and is hereby approved,
29 upon the effective date of this Act.
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1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 27th day of March, 2001.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ronald V. Russell
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Wayne K. Curry
County Executive

AMENDMENT
PRINCE GEORGE'S COUNTY, MARYLAND
DEPUTY SHERIFF'S PENSION PLAN
(AS AMENDED AND RESTATED, EFFECTIVE JULY 1, 1996)

Amendment

Prince George's County, Maryland
Deputy Sheriff's Pension Plan
(As Amended and Restated, Effective July 1, 1996)

Pursuant to Executive Order No. 17- 1996, the Board of Trustees and the County Executive approved the Deputy Sheriff's Pension Plan (As Amended and Restated, Effective July 1, 1996). Pursuant to Section 16-231(b) of the Prince George's County Code, the Deputy Sheriff's Pension Plan, upon establishment, may not be amended to lessen the benefits provided therein, unless such amendments are approved by legislative act of the County Council. This amendment is therefore approved.

3C.1 Retirement at Comprehensive Participant's Disability Retirement Date. -- add the following as the last paragraph in Section 3C.1(b)(3), upon the effective date of CB-8-2001.

In determining whether an injury or illness is service-connected, the Participant must show that the injury or illness was directly and substantially caused by an employment related accident, occurrence or condition. A pre-existing physical or mental condition found in the Participant which is aggravated by an employment related accident, occurrence or condition and renders the Participant disabled, does not give rise to a service-connected disability.

AMENDMENT
PRINCE GEORGE'S COUNTY
CORRECTIONAL OFFICER'S PENSION PLAN
(AS AMENDED AND RESTATED, EFFECTIVE JULY 1, 1996)

Amendment

Prince George's County, Maryland
Correctional Officer's Pension Plan
(As Amended and Restated, Effective July 1, 1996)

Pursuant to CB-95-1995, the Board of Trustees and the County Executive approved the Correctional Officer's Pension Plan (As Amended and Restated, Effective July 1, 1996). Pursuant to Section 16-231(c) of the Prince George's County Code, said Pension Plan, upon establishment, may be amended subject to approval by legislative act of the County Council. This amendment is therefore approved.

3C.1 Retirement at Disability Retirement Date. -- add the following as the last paragraph in Section 3C.1(b)(3), upon the effective date of CB-8-2001.

In determining whether an injury or illness is service-connected, the Participant must show that the injury or illness was directly and substantially caused by an employment related accident, occurrence or condition. A pre-existing physical or mental condition found in the Participant which is aggravated by an employment related accident, occurrence or condition and renders the Participant disabled, does not give rise to a service-connected disability.