

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 6/27/95

Reference No.: CB-17-1995

Proposer: Gourdine and Maloney

Draft No: 2

Sponsors: Gourdine and Maloney

Item Title: To require that County employees who are also receiving a County-funded retirement benefit shall have their salary reduced by the amount of the benefit

Drafter: Ralph E. Grutzmacher
Legislative Officer

Resource Personnel: Hubert Green
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 3/21/95

Executive Action: __/__/__ __

Committee Referral:(1) 3/21/95 PSFM

Effective Date: __/__/__

Committee Action:(1) 5/8/95 FAV (A)

Date Introduced: 6/27/95

Pub. Hearing Date: (1) 7/26/95 2:45 PM

Council Action: (1) 7/26/95 Postponed Indefinitely

Council Votes: AMc:A, DB:A, SD:A, JE:A, IG:N, WM:N, RVR:A, AS:N, MW:A

Pass/Fail: P

Remarks: _____

PUBLIC SAFETY & FISCAL MANAGEMENT COMMITTEE REPORT **Date: 5/8/95**

Committee Vote: Favorable as amended, 3-1 (In favor: Council Members Gourdine, Maloney and Russell; Opposed: Estepp).

This legislation will require County employees who are receiving County-funded retirement benefits based upon employment with the County, to have their salary reduced by the annualized amount of the retirement benefit.

The Office of Law stated that the contents of this legislation contravenes Section 903 of the Charter which provides that the establishment and determination of salaries for County employees is done pursuant to a salary plan which must be initiated by the County Executive. This interpretation of that

Section of the Charter has been consistent since the inception of the Charter.

The legislation contains the following amendments:

On page 2, line 11, after allowance, insert: "other than an allowance due to a service-connected disability."

On page 3, line 24, insert:

1. "BE IT FURTHER ENACTED that the salary rate of any person who is both employed by the County and receiving a retirement benefit on the effective date of this Act shall not be affected by the provisions of this Act."
2. Delete 3, add 4.

There will not be a fiscal impact on the County with the enactment of CB-17-1995.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

Some County pension plans permit an active County employee to continue to receive a retirement benefit and, at the same time, be employed by the County and earn credit for a second retirement benefit. The proposed legislation would require a reduction in salary for such employees in the amount of the employee's retirement benefit.

CODE INDEX TOPICS:

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Salary