

Introduced \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

## County Council Of Howard County, Maryland

2010 Legislative Session

Legislative Day No. 8

### Bill No. 42-2010

Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the Howard County Retirement Plan to include employees of the Howard Soil Conservation District; making certain technical corrections; and generally relating to the Howard County Retirement Plan.

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Introduced and read first time \_\_\_\_\_, 2010. Ordered posted and hearing scheduled.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on \_\_\_\_\_, 2010.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

This Bill was read the third time on \_\_\_\_\_, 2010 and Passed \_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_ day of \_\_\_\_\_, 2010 at \_\_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive \_\_\_\_\_, 2010

\_\_\_\_\_  
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland that subsections  
2 (h), (r), and (w), all of Section 1.406 “Definitions,” of Article I “Generally” of Subtitle 4  
3 “Retirement Plans” of Title 1 “Human Resources” of the Howard County Code are amended to  
4 read as follows:

5 **Title 1. Human Resources.**

6 **Subtitle 4. Retirement Plans.**

7 **Article I. Generally.**

8  
9 **Section 1.406. Definitions.**

10 The following terms, as used herein, unless a different meaning is clearly implied by the context,  
11 shall have the following meanings:

12 (h) *Benefited employee.* Except as provided in paragraph (3) below, "Benefited employee"  
13 means:

- 14 (1) A full-time employee of the County in the classified, Executive exempt or  
15 miscellaneous exempt services; or
- 16 (2) A part-time employee of the County who is scheduled to work at least 50 percent  
17 of the regularly-scheduled workweek for his or her position in the miscellaneous  
18 exempt service.
- 19 (3) Benefited employee does not include:
- 20 (i) A partially benefited employee; or
- 21 (ii) An employee of the County hired after June 30, 1995 in the miscellaneous  
22 exempt service with a Class Code of 3201, 3203, 3211, 3212, 3213, 3214,  
23 3215, 3221, 3222, 3223, 3230, 7751 or 7752.
- 24 (4) A BENEFITED EMPLOYEE SHALL INCLUDE FULL-TIME OR PART-TIME EMPLOYEES OF  
25 THE ECONOMIC DEVELOPMENT AUTHORITY AND THE HOWARD SOIL  
26 CONSERVATION DISTRICT; PROVIDED THAT BENEFITED EMPLOYEES OF THE HOWARD  
27 COUNTY ECONOMIC DEVELOPMENT AUTHORITY AND THE HOWARD SOIL  
28 CONSERVATION DISTRICT SHALL INCLUDE ONLY THOSE PART-TIME EMPLOYEES WHO  
29 ARE SCHEDULED TO WORK AT LEAST 50 PERCENT OF THE REGULARLY SCHEDULED

1 WORKWEEK FOR THEIR POSITIONS.

2 (r) *Covered individual.*

3 (1) From the effective date through September 28, 1997, covered individual means:

4 (i) A benefited employee or a partially benefited employee:

5 a. Except for individuals participating in, or required as a condition of  
6 their employment to participate in, the police and fire pension plan;  
7 and

8 b. Except as otherwise provided in subsection 1.407(a) of this subtitle  
9 with regard to employees, who do not elect to participate in the  
10 plan;

11 (ii) Except for masters in chancery (Class Code 5615), a full-time employee in  
12 a State-authorized exempt position and a part-time employee who is  
13 scheduled to work at least 50 percent of the regularly scheduled workweek  
14 for such a position;

15 (iii) A benefited employee of the Howard County Economic Development  
16 Authority OR THE HOWARD SOIL CONSERVATION DISTRICT;

17 (iv) A member of the Howard County Council; or

18 (v) The Howard County Executive.

19 (2) Effective September 29, 1997, covered individual includes:

20 (i) A participant in the plan on September 28, 1997; or

21 (ii) A person who, on or after September 29, 1997, is or becomes:

22 a. A full-time employee in either the classified service (including a  
23 probationary employee) or the Executive exempt service as  
24 described in subtitle 1 of this title;

25 b. An employee in a part-time benefited position, as defined in  
26 section 1.308 of this title;

27 c. An employee in a grant-funded position, as defined in section  
28 1.307 of this title;

29 d. A person who works in a State-authorized exempt position, as

1 defined in section 1.305 of this title;

2 e. A benefited employee of the Howard County Economic  
3 Development Authority OR THE HOWARD SOIL CONSERVATION  
4 DISTRICT;

5 f. A member of the Howard County Council; or

6 g. The Howard County Executive.

7 (3) Effective September 29, 1997, covered individual does not include:

8 (i) Individuals participating in, or required as a condition of their employment  
9 to participate in the police and fire plan;

10 (ii) Individuals who elected not to participate in the plan pursuant to section  
11 1.407 of this subtitle;

12 (iii) A contingent employee; or

13 (iv) A master in chancery (Class Code 1513).

14 (w) *Employer* [[means the]] MEANS:

15 (1) THE County with respect to employees of the [[County, and the]] COUNTY;

16 (2) THE Howard County Economic Development Authority with respect to employees  
17 of the [[Authority.]] AUTHORITY; AND

18 (3) THE HOWARD SOIL CONSERVATION DISTRICT WITH RESPECT TO EMPLOYEES OF THE  
19 DISTRICT.

20  
21 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that  
22 *this Act shall apply retroactively beginning on July 1, 1985.*

23  
24 ***Section 3. And Be It Further Enacted*** by the County Council of Howard County, Maryland that  
25 *this Act shall become effective 61 days after its enactment.*