

CHAPTER 301

(House Bill 838)

AN ACT to repeal and re-enact, with amendments, Section 37(o)(2) of Article 87 of the Annotated Code of Maryland (1964 Replacement Volume and 1966 Supplement), title "Sheriffs," subtitle "Compensation and Duties," providing for the appointment of clerical and administrative assistance in the Sheriff's office of Montgomery County and giving all employees of the Sheriff of Montgomery County the same employment status as County merit system employees, exclusive of special deputy sheriffs.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 37(o)(2) of Article 87 of the Annotated Code of Maryland (1964 Replacement Volume and 1966 Supplement), title "Sheriffs," subtitle "Compensation and Duties," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

37.

(o)(2) The Sheriff of Montgomery County shall appoint, not less than sixteen deputy sheriffs, who shall provide motor vehicles for their own use in performing their duties, and [who] *he shall also appoint such other clerical and administrative employees as are necessary, all of whom shall be paid by the County [Council].*

The Sheriff shall fix the compensation of, and shall have the right to discharge, said deputy sheriffs [so appointed,] *and all employees so appointed,* all subject, however, to budget limitations and the regulations of the Montgomery County personnel board. *All personnel so appointed by the Sheriff, excluding those special deputy sheriffs appointed by the Sheriff pursuant to the provisions of Section 2-100 of Article XVI of the Montgomery County Code (1965 Edition), shall be considered for all purposes as Montgomery County merit system employees and subject to all rules and regulations of the Personnel Board of Montgomery County.* Notwithstanding the foregoing, any deputy sheriff who shall have been appointed by the Sheriff prior to June 1, 1966, may elect, by notifying the Montgomery County personnel board in writing within thirty days subsequent to June 1, 1966, to serve subject to that law in existence on May 30, 1966. Each of said deputy sheriffs shall receive the sum of \$4,200 per year, payable in biweekly installments, and such additional salary as may be determined from time to time by the County Council, and, in addition, each of said deputy sheriffs, shall be paid by the County Council an annual sum of fifteen hundred dollars (\$1,500) in equal biweekly installments, which sum or sums shall be in lieu of all expenses for traveling, transportation or use of motor vehicles, and in lieu of any and all expenses now or heretofore allowed such deputy sheriffs by way of salary, fees, or expenses. The Sheriff shall have power to designate one of said deputy sheriffs as chief deputy, who shall be paid an additional compensation of \$500 per year. Those deputies having been appointed prior to June 1, 1966, who elect to serve subject to the law in effect on May 30, 1966, shall hold office at the pleasure of the Sheriff and shall be removed by the Sheriff at any time the Sheriff may elect or by the circuit court of the county, upon indictment and conviction as now provided by law. It shall be the duty of