

COUNTY COUNCIL OF CECIL COUNTY, MARYLAND  
LEGISLATIVE SESSION DAY 2017-08

**BILL NO. 2017-11**

**Title of Bill:** Public Safety Pension Plan - 25 Years of Service - Contribution Waiver

**Synopsis:** A Bill to approve an amendment to the Cecil County Pension Plan for Public Service Employees to provide that participants with 25 years or more of creditable service will not be required to make any further contributions.

**Introduced by:** Council President on behalf of the County Executive

**Introduced, read first time and ordered posted on:** April 18, 2017

**Public hearing scheduled for:** May 16, 2017 at: 7:00 p.m.

**Consideration scheduled on:** June 6, 2017

By: James Massey  
Council Manager

**Public Hearing**

Notice of time and place of public hearing and title of Bill have been posted by April 18, 2017 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on May 3, 2017 and May 10, 2017, a public hearing was held on May 16, 2017, and concluded on May 16, 2017.

By: James Massey  
Council Manager

**Explanation:** CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT  
~~Strike through~~ indicates language deleted from existing document  
Underlining indicates language added to document by amendment.  
~~Double Strike through~~ indicates language stricken from document by amendment.

## Public Safety Pension Plan - 25 Years of Service - Contribution Waiver

1           **WHEREAS**, the County has established a defined benefit pension plan for its full-time public safety  
2 employees who are paid in accordance with the County's Public Safety Pay Plan known as "The Cecil County  
3 Pension Plan for Public Safety Employees" (the "Plan") effective July 1, 2002, as amended; and

4           **WHEREAS**, the County recently received a favorable determination letter with respect to the Plan  
5 from the Internal Revenue Service, which favorable determination was made on the condition that the  
6 County adopt an amendment to Section 6.5(b)(iii) of the Plan; and

7           **WHEREAS**, the County also wishes to amend Section 3.1(h) of the Plan to provide for certain  
8 procedures to be followed in connection with the purchase of service by Plan participants at retirement;  
9 and

10           **WHEREAS**, Section 11.1(a) of the Plan provides that the County may, at any time, by legislation  
11 enacted in accordance with the Charter, modify or amend the Plan in whole or in part; and

12           **WHEREAS**, in accordance with Section 11.1(a) of the Plan, the County wishes to approve such  
13 amendments to the Plan, as more particularly described herein.

14           **NOW THEREFORE, BE IT HEREBY ENACTED BY THE COUNTY COUNCIL OF CECIL COUNTY,**  
15 **MARYLAND**, as follows:

16           Section 1. The Eighth Amendment to the Plan attached to this Act as Exhibit A is hereby approved.

17           Section 2. The provisions of this Act are severable, and if any provision, sentence, clause, section or  
18 part hereof is held to be illegal, invalid or unconstitutional or inapplicable to any person or circumstances,  
19 such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the  
20 remaining provisions, sentences, clauses, sections, or parts of this Act or their application to other persons  
21 or circumstances. It is hereby declared to be the legislative intent that this Act would have been passed if  
22 such illegal, invalid or unconstitutional provision, sentence, clause, section or part had not been included  
23 herein, and if the person or circumstances to which this Act or any part hereof are inapplicable had been  
24 specifically exempted therefrom.

25           **AND BE IT FURTHER ENACTED** that this Act shall take effect 60 calendar days from the date that it  
26 becomes law.

**CERTIFICATION**

I, HEREBY CERTIFY that the above Bill was posted for the public on the public bulletin board with the date, time and location of the public hearing meeting, copies were made available for the public, a copy was distributed to the press, and copy was made available on the Cecil County website.

  
BY: Council Manager

**BILL NO: 2017-11**

**Title of Bill: Public Safety Pension Plan - 25 Years of Service - Contribution Waiver**

is hereby submitted to the County Council of Cecil County, Maryland for enrollment as being the text as finally passed.

**CERTIFIED TRUE AND CORRECT**

**ENROLLED**

James Massey  
Council Manager

John Sawlskey  
Council President

Date: April 4, 2017

Date: April 4, 2017

**BY THE COUNCIL**

Read the third time.

**Passed – LSD 2017-11**

**Failed of Passage – LSD \_\_\_\_\_**

BY: James Massey  
Council Manager

**SEALED WITH THE COUNTY SEAL AND PRESENTED TO THE COUNTY EXECUTIVE for approval this**

9<sup>th</sup> day of June, 20 17 at 12:00 am/pm.  
(within 10 business days from adoption §306)



BY: James Massey  
Council Manager

BY THE EXECUTIVE:  
John Sawlskey  
Cecil County Executive

**APPROVED Date:** June 13, 2017

**VETOED Date:** \_\_\_\_\_  
(within 10 business days from presentation §306)

**BY THE COUNCIL**

**Bill No. 2017-11** having been approved by the Executive and returned to the Council becomes law

on June 13, 2017 with an effective date of August 14, 2017

BY: James Massey  
Council Manager

**EXHIBIT A**

**EIGHTH AMENDMENT TO THE  
CECIL COUNTY PENSION PLAN FOR PUBLIC SAFETY EMPLOYEES**

This EIGHTH AMENDMENT to The Cecil County Pension Plan for Public Safety Employees is made by Cecil County, Maryland (the "County"). The County maintains The Cecil County Pension Plan for Public Safety Employees, effective as of July 1, 2002, as amended and restated effective December 31, 2015, and as amended from time to time (the "Plan").

WHEREAS, the County, pursuant to the authority granted under Section 11.1 of the Plan, wishes to amend the Plan provisions to provide that Participants with twenty-five (25) years or more of Creditable Service will not be required to make any further contributions to the Plan.

NOW, THEREFORE, the Plan is amended as follows, effective \_\_\_\_\_, 2017:

1. Section 6.1 of the Plan is hereby amended to read as follows:

**"6.1 Employee Contributions.**

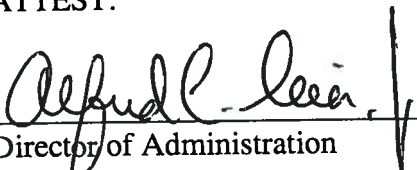
**(a)** Each Participant shall contribute to the Trust Fund, through regular payroll deduction, from and after July 1, 2002, an amount equal to eight percent (8%) of base pay.

**(b) Notwithstanding the foregoing, a Participant shall not be required to make any further contributions to the Plan on and after the date on which such Participant is credited with twenty-five (25) years of Creditable Service.**

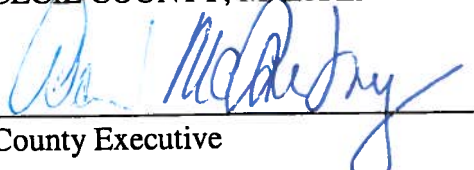
2. In all other respects, the Plan is hereby ratified and confirmed.

IN WITNESS WHEREOF, as evidence of the adoption of this Eighth Amendment, the County has caused the same to be executed by its duly authorized officers and its seal to be affixed hereto this 13<sup>th</sup> day of June, 2017.

ATTEST:

  
\_\_\_\_\_  
Director of Administration

CECIL COUNTY, MARYLAND

  
\_\_\_\_\_  
County Executive

[SEAL]

\_\_\_\_\_

Key:

Double Underlining indicates language added to the Plan  
~~Strikethrough~~ indicates language deleted from the Plan

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