

CONSTITUTIONAL AMENDMENT

**By: Delegate Poole**

Introduced and read first time: February 2, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly Compensation Commission Resolution - Approval by Majority Vote of**  
3 **the Senate and House of Delegates**

4 FOR the purpose of requiring the resolution submitted by the General Assembly  
5 Compensation Commission containing the Commission's determinations of the  
6 compensation, allowances, and pension and other benefits for the members of the  
7 General Assembly to be approved by a majority vote of the elected members of the  
8 Senate and House of Delegates; clarifying the procedure by which the General  
9 Assembly may reduce or reject any item in the Commission's determinations;  
10 relating generally to the compensation, allowances, and pension and other benefits  
11 of the members of the General Assembly; and submitting this amendment to the  
12 qualified voters of the State of Maryland for their adoption or rejection.

13 BY proposing an amendment to the Constitution of Maryland  
14 Article III - Legislative Department  
15 Section 15

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
18 concurring), That it be proposed that the Constitution of Maryland read as follows:

19 **Article III - Legislative Department**

20 15.

21 (1) The General Assembly may continue its session so long as in its judgment the  
22 public interest may require, for a period not longer than ninety days in each year. The  
23 ninety days shall be consecutive unless otherwise provided by law. The General Assembly  
24 may extend its session beyond ninety days, but not exceeding an additional thirty days, by  
25 resolution concurred in by a three-fifths vote of the membership in each House. When  
26 the General Assembly is convened by Proclamation of the Governor, the session shall not  
27 continue longer than thirty days, but no additional compensation other than mileage and  
28 other allowances provided by law shall be paid members of the General Assembly for  
29 special session.

30 (2) Any compensation and allowances paid to members of the General Assembly  
31 shall be as established by a commission known as the General Assembly Compensation  
32 Commission. The Commission shall consist of nine members, five of whom shall be

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1 appointed by the Governor, two of whom shall be appointed by the President of the  
 2 Senate, and two of whom shall be appointed by the Speaker of the House of Delegates.  
 3 Members of the General Assembly and officers and employees of the Government of the  
 4 State of Maryland or of any county, city, or other governmental unit of the State shall not  
 5 be eligible for appointment to the Commission. Members of the Commission shall be  
 6 appointed for terms of four years commencing on June 1 of each gubernatorial election  
 7 year. Members of the Commission are eligible for re-appointment. Any member of the  
 8 Commission may be removed by the Governor prior to the expiration of his term for  
 9 official misconduct, incompetence, or neglect of duty. The members shall serve without  
 10 compensation but shall be reimbursed for expenses incurred in carrying out their  
 11 responsibilities under this section. Decisions of the Commission must be concurred in by  
 12 at least five members.

13 (3) Within 15 days after the beginning of the regular session of the General  
 14 Assembly in 1974 and within 15 days after the beginning of the regular session in each  
 15 fourth year thereafter, the Commission by formal resolution shall submit its  
 16 determinations for compensation and allowances to the General Assembly. The General  
 17 Assembly may reduce or reject, but shall not increase any item in the resolution. The  
 18 resolution[, with any reductions that shall have been concurred in by joint resolution of  
 19 the General Assembly,] shall take effect ONLY AFTER IT HAS BEEN APPROVED BY A  
 20 MAJORITY OF THE ELECTED MEMBERS OF THE SENATE AND A MAJORITY OF THE  
 21 ELECTED MEMBERS OF THE HOUSE OF DELEGATES DURING THE SESSION IN WHICH  
 22 THE RESOLUTION IS SUBMITTED TO THE GENERAL ASSEMBLY and SHALL have the  
 23 force of law as of the beginning of the term of office of the next General Assembly. THE  
 24 GENERAL ASSEMBLY MAY REDUCE OR REJECT ANY ITEM IN THE RESOLUTION  
 25 SUBMITTED BY THE COMMISSION ONLY BY A JOINT RESOLUTION THAT SHALL HAVE  
 26 BEEN CONCURRED IN BY THE GENERAL ASSEMBLY. Rates of compensation and  
 27 pensions shall be uniform for all members of the General Assembly, except that the  
 28 officers of the Senate and the House of Delegates may receive higher compensation as  
 29 determined by the General Assembly Compensation Commission. The provisions of the  
 30 Compensation Commission resolution shall continue in force until superseded by any  
 31 succeeding resolution.

32 (4) In no event shall the compensation and allowances be less than they were  
 33 prior to the establishment of the Compensation Commission.

34 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
 35 determines that the amendment to the Constitution of Maryland proposed by this Act  
 36 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the  
 37 Constitution concerning local approval of constitutional amendments do not apply.

38 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
 39 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
 40 legal and qualified voters of this State at the next general election to be held in  
 41 November, 1996 for their adoption or rejection in pursuance of directions contained in  
 42 Article XIV of the Constitution of this State. At that general election, the vote on this  
 43 proposed amendment to the Constitution shall be by ballot, and upon each ballot there  
 44 shall be printed the words "For the Constitutional Amendments" and "Against the  
 45 Constitutional Amendments," as now provided by law. Immediately after the election, all  
 46 returns shall be made to the Governor of the vote for and against the proposed

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1 amendment, as directed by Article XIV of the Constitution, and further proceedings had  
2 in accordance with Article XIV.