

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL NO. 1270

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Collective Bargaining - Negotiated Provisions" and substitute "Compensation of State Employees"; strike beginning with "enacting" in line 3 down through "for" in line 4 and substitute "providing that"; in line 5, after "on" insert "certain"; in the same line, after "holidays" insert "shall receive certain payment for certain hours worked"; strike beginning with "authorizing" in line 9 down through "program;" in line 11; in line 12, after the semicolon insert "altering certain provisions of law governing pay rates in the Executive Pay Plan; requiring certain units to track certain sick leave usage as of a certain date; requiring the Department of Budget and Management to submit a certain report to the Governor and the General Assembly on or before a certain date;"; strike beginning with "complying" in line 12 down through "Article" in line 13 and substitute "relating to compensation of State employees"; in line 16, after "Section" insert "8-104, 8-108,"; and in the same line, after "9-205" insert a comma.

AMENDMENT NO. 2

On page 2, after line 1, insert:

"8-104.

- (a) (1) Pay rates in the Standard Pay Plan may be set by:
 - (i) a series of pay grades and steps within each grade;
 - (ii) fixed rates; or
 - (iii) minimum and maximum amounts.
- (2) Pay rates in the Executive Pay Plan may be set by:

(Over)

(i) a series of executive pay grades and steps within each grade; [or]

(ii) fixed rates; OR

(III) MINIMUM AND MAXIMUM AMOUNTS.

(b) In setting or amending a pay rate, the Secretary shall consider:

(1) the prevailing pay rates for comparable services in private and public employment;

(2) experience;

(3) living costs;

(4) benefits; and

(5) the financial condition and policies of this State.

(c) [(1)] A pay rate in either pay plan is subject to any limitations included in the State budget.

[(2)] The starting pay rate for an employee whose position is in the Executive Pay Plan may not exceed the pay rate set for the second step of the grade specified for the position, unless:

(i) exceptional circumstances exist; and

(ii) the Board of Public Works approves the higher starting pay.

(3) The pay rate for a physician in the Department of Health and Mental Hygiene whose position is in the Executive Pay Plan shall be set in accordance with the physician-administrator pay schedule.]

8-108.

(a) This section applies only to the Executive Pay Plan.

(b) (1) An increase in a pay rate under this subsection[:

(i) may be given only with the approval of the Governor; and

(ii)] shall be based on the employee's performance.

(2) For or during a fiscal year, the head of a unit may recommend an increase in an employee's pay rate above the rate for the previous fiscal year [by one step] in the same grade IN ACCORDANCE WITH GUIDELINES PROMULGATED BY THE SECRETARY, PROVIDED THAT FUNDS ARE AVAILABLE.

[3) For or during a fiscal year, in recognition of the employee's exceptional performance, the head of a unit may recommend an increase in an employee's pay rate above the rate for the previous fiscal year by two steps in the same grade.

(4) Subject to § 2-1246 of the State Government Article, the Secretary shall notify the Department of Legislative Services, on or before January 1 and July 1 of each year, of any pay adjustments made under this subsection during the preceding 6 months.]

(c) (1) A pay increase under this subsection may be made[:

(i)] to recruit or retain competent employees[:] or

[ii) for any other reason that the Board of Public Works approves] TO RECOGNIZE INCREASED DUTIES AND RESPONSIBILITIES.

(2) Subject to the approval of [the Board of Public Works,] the Governor, THE SECRETARY may approve:

(i) [a pay increase above the rate for the previous fiscal year of more than two steps in the same grade;

~~(ii)~~ a change in pay grade;

~~[(iii)] (II)~~ a change from one class in a series to a different class in the same series;

~~[(iv)] (III)~~ a new class or position; or

~~[(v)] (IV)~~ another form of pay increase.

(3) Subject to § 2-1246 of the State Government Article, the Secretary shall submit to the Department of Legislative Services a copy of documentation for any specific recruitment, retention, or other issue that warranted a pay increase under this subsection."

AMENDMENT NO. 3

On page 2, in line 14, strike "NOT".

AMENDMENT NO. 4

On page 4, in line 1, strike "PURPOSES" and substitute "PURPOSE STATED"; in lines 1 and 2, strike "SUBSECTION (C)(1)(IV) OF THIS SECTION" and substitute "PARAGRAPH (1)(IV) OF THIS SUBSECTION"; and in line 2, after "BALANCE" insert "UNDER SUBSECTION (B) OF THIS SECTION".

AMENDMENT NO. 5

On page 5, in line 18, strike "administrative tracking of" and substitute "participating units shall track"; in lines 18 and 19, strike "shall begin on" and substitute "as of"; in line 21, after the comma, insert "That the Department of Budget and Management shall submit a report to the Governor and, subject to § 2-1246 of the State Government Article, to the General Assembly by October 15, 2003, that describes the effects of the Sick Leave Incentive Program on employee use of sick leave, including the number of employees who participated in the Program, the number of unused sick leave hours exchanged for payment, the total sick leave hours used during the calendar year, the total payment received by employees, any estimated overtime savings as a result of the Program, and any estimated reduction in use of sick leave as a result of the Program.

SECTION 4. AND BE IT FURTHER ENACTED,”;

and in the same line, strike “the provisions of”.