

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 1176 (Delegate McMillan, *et al.*)
Rules and Executive Nominations

General Assembly Pay Raise and Compensation Accountability Act

This constitutional amendment provides that the recommendations of the General Assembly Compensation Commission are only effective after the House of Delegates and Senate of Maryland approve the recommendations by a majority roll call vote in each chamber. The amendment provides that alterations or reductions to the commission's recommendations must be made by majority roll call vote in each chamber. The resolution may only be considered during the regular session of the General Assembly in which it is introduced.

The amendment shall be submitted to the legal and qualified voters of the State at the next general election to be held in November 2004.

Fiscal Summary

State Effect: None.

Local Effect: The Maryland Constitution requires that proposed amendments to the constitution be publicized either: (1) in at least two newspapers in each county, if available, and in at least three newspapers in Baltimore City once a week for four weeks immediately preceding the general election; or (2) by order of the Governor in a manner provided by law. State law requires local boards of elections to publicize proposed amendments to the constitution either in newspapers or on specimen ballots; local boards of elections are responsible for the costs associated with these requirements. It is anticipated that the FY 2005 budgets of local election boards will contain funding for notifying qualified voters about proposed constitutional amendments for the 2004 general election in newspapers or on specimen ballots.

Small Business Effect: None.

Analysis

Current Law: Compensation and allowances paid to members of the General Assembly are established by the General Assembly Compensation Commission. The commission consists of nine members, five appointed by the Governor, two appointed by the President of the Senate, and two appointed by the Speaker of the House of Delegates. Members of the General Assembly and officers and employees of the State or any county, city, or other governmental unit of the State are not be eligible for appointment to the commission. A decision of the commission must have the concurrence of at least five members.

Within 15 days after the beginning of the regular session of the General Assembly in 1974 and within 15 days after the beginning of the regular session in each fourth year thereafter, the commission submits its determinations for compensation and allowances to the General Assembly in the form of a resolution. The General Assembly may reduce or reject, but may not increase any item in the resolution.

If the General Assembly takes no action or passes the commission's resolution, the resolution takes effect. The General Assembly may pass a Joint Resolution reducing or rejecting particular items in the commission's resolution. In this case, the modified resolution would take effect. The General Assembly may also pass a Joint Resolution rejecting the commission's resolution. If the General Assembly passes a Joint Resolution that rejects the commission's recommendations, the resolution in effect at the beginning of the previous term of the General Assembly stays in effect for the following term. The General Assembly is not authorized to take any action that reduces compensation levels below those in effect in 1970. The result takes effect and has the force of law at the beginning of the term of office of the next General Assembly. Rates of compensation and pensions are uniform for all members of the General Assembly, except that officers of the Senate and the House of Delegates may receive higher compensation as determined by the commission.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

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