

SENATE BILL 349

P4

(8lr2534)

ENROLLED BILL
—Finance/Appropriations—

Introduced by **Senator Middleton**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **State Personnel - Executive Pay ~~Plan~~ Plans - Reporting Requirements -**
3 **~~Repeal~~**

4 FOR the purpose of ~~repealing~~ altering a certain ~~requirements~~ requirement that the
5 Secretary of Budget and Management provide ~~certain reports~~ a report to the
6 Department of Legislative Services on Executive Pay Plan employees under
7 certain circumstances; *requiring the Secretary of Transportation to provide a*
8 *report to the Department of Legislative Services on Executive Pay Plan employees*
9 *under certain circumstances; repealing a certain reporting requirement; and*
10 generally relating to reports by the Secretary of Budget and Management *and*
11 *the Secretary of Transportation* on the Executive Pay Plan.

12 BY repealing and reenacting, with amendments,
13 Article - State Personnel and Pensions
14 Section 8-103

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Annotated Code of Maryland
2 (2004 Replacement Volume and 2007 Supplement)

3 BY repealing
4 Article – State Personnel and Pensions
5 Section 8–108(c)(3)
6 Annotated Code of Maryland
7 (2004 Replacement Volume and 2007 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 2–103.4(h)
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2007 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – State Personnel and Pensions**

16 8–103.

17 ~~¶(a)~~ Subject to the approval of the Governor, the Secretary shall adopt
18 regulations to carry out this subtitle.

19 ~~¶(b)~~ **(1)** Subject to § 2–1246 of the State Government Article, the Secretary
20 shall submit to the Department of Legislative Services, on or before ~~September 1~~
21 **JULY 15, OCTOBER 15, JANUARY 15, AND APRIL 15** of each ~~year~~ **FISCAL YEAR**;

22 **(I)** a list of the position, pay grade and step, **TITLE, NAME,** and
23 pay rate of each employee who was included in the Executive Pay Plan ~~AND THE~~
24 ~~MARYLAND DEPARTMENT OF TRANSPORTATION EXECUTIVE PAY PLAN~~ as of the
25 ~~LAST DAY OF THE~~ preceding ~~June 30~~ **FISCAL QUARTER; AND**

26 **(II)** **THE DETAILS OF ANY LUMP-SUM INCREASES GIVEN TO**
27 **EMPLOYEES IN THE EXECUTIVE PAY PLAN AND THE MARYLAND DEPARTMENT**
28 **OF TRANSPORTATION EXECUTIVE PAY PLAN DURING THE PRECEDING FISCAL**
29 **QUARTER.**

30 **(2)** **(I)** **THE QUARTERLY REPORTS REQUIRED UNDER**
31 **PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE EACH FLAT-RATE**
32 **EMPLOYEE POSITION IN THE EXECUTIVE PAY PLAN AND THE MARYLAND**
33 **DEPARTMENT OF TRANSPORTATION EXECUTIVE PAY PLAN.**

1 **(II) EACH FLAT-RATE EMPLOYEE POSITION INCLUDED IN**
 2 **THE QUARTERLY REPORTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH**
 3 **SHALL BE ASSIGNED A UNIQUE IDENTIFIER THAT:**

4 **1. DESCRIBES THE PROGRAM TO WHICH THE**
 5 **POSITION IS ASSIGNED FOR BUDGETARY PURPOSES; AND**

6 **2. CORRESPONDS TO THE POSITION IDENTIFICATION**
 7 **NUMBER USED IN THE BUDGET DATA PROVIDED ANNUALLY BY THE SECRETARY**
 8 **TO THE DEPARTMENT OF LEGISLATIVE SERVICES.**

9 8-108.

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

14 **Article – Transportation**

15 2-103.4.

16 (h) (1) The Secretary shall establish an executive pay plan that conforms to
 17 the provisions of §§ 8-101, 8-102, 8-103(b), 8-104, 8-108, and 8-109 of the State
 18 Personnel and Pensions Article that govern the executive pay plan of the State. The
 19 Secretary shall have the same authority to implement an executive pay plan as is
 20 delegated to the Secretary of Budget and Management.

21 **(2) SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE,**
 22 **THE SECRETARY SHALL SUBMIT TO THE DEPARTMENT OF LEGISLATIVE**
 23 **SERVICES, ON OR BEFORE JULY 15, OCTOBER 15, JANUARY 15, AND APRIL 15**
 24 **OF EACH FISCAL YEAR:**

25 **(I) A LIST OF THE POSITION, PAY GRADE AND STEP, TITLE,**
 26 **NAME, AND PAY RATE OF EACH EMPLOYEE WHO WAS INCLUDED IN THE**
 27 **EXECUTIVE PAY PLAN AS OF THE LAST DAY OF THE PRECEDING FISCAL**
 28 **QUARTER; AND**

29 **(II) THE DETAILS OF ANY LUMP-SUM INCREASES GIVEN TO**
 30 **EMPLOYEES IN THE EXECUTIVE PAY PLAN DURING THE PRECEDING FISCAL**
 31 **QUARTER.**

32 **(3) (I) THE QUARTERLY REPORTS REQUIRED UNDER**
 33 **PARAGRAPH (2) OF THIS SUBSECTION SHALL INCLUDE EACH FLAT-RATE**
 34 **EMPLOYEE POSITION IN THE EXECUTIVE PAY PLAN.**

1 **(II) EACH FLAT-RATE EMPLOYEE POSITION INCLUDED IN**
 2 **THE QUARTERLY REPORTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH**
 3 **SHALL BE ASSIGNED A UNIQUE IDENTIFIER THAT:**

4 **1. DESCRIBES THE PROGRAM TO WHICH THE**
 5 **POSITION IS ASSIGNED FOR BUDGETARY PURPOSES; AND**

6 **2. CORRESPONDS TO THE POSITION**
 7 **IDENTIFICATION NUMBER USED IN THE BUDGET DATA PROVIDED ANNUALLY BY**
 8 **THE SECRETARY TO THE DEPARTMENT OF LEGISLATIVE SERVICES.**

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 10 July 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.