

**Department of Legislative Services**  
Maryland General Assembly  
2009 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 179

(Senator McFadden)(Chair, Joint Committee on Pensions)

Budget and Taxation

Appropriations

---

**State Retirement Agency - Monitoring of Telephone Calls - Quality Assurance**

---

This bill authorizes the Board of Trustees of the State Retirement and Pension System to adopt regulations allowing managers to monitor and record incoming telephone conversations to employees of the Member Services Division of the State Retirement Agency (SRA) for training and quality control purposes.

The bill takes effect July 1, 2009.

---

**Fiscal Summary**

**State Effect:** None. SRA can handle the bill's requirements with existing resources.

**Local Effect:** None.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** Under § 9-602 of the Criminal Law Article, absent prior approval by the Attorney General, a State official or employee may not directly or indirectly monitor or record telephone conversations to or from any unit of State government. A person who violates this prohibition is subject to a fine up to \$1,000 and immediate dismissal from State employment.

With prior approval from the Attorney General, a State official or employee may monitor or record telephone conversations on telephone lines reserved for incoming police, fire,

and rescue calls, and only with recorder-connector equipment that produces a distinctive tone approximately every 15 seconds.

**Background:** Under the Managing for Results process, SRA's Goal 2 is "to effectively communicate with all retirement plan participants to inform them about the benefits provided by the System and to educate them about planning and preparing all aspects of their defined contribution plans." After experiencing significant turnover among its benefit counselors over several years, the agency revamped its counselor training program and increased compensation for its counselors.

In fiscal 2008, the agency received about 111,000 phone calls from members and retirees seeking information about their benefits, which were handled by approximately eight counselors on any given day. The agency's Member Services Division has an automated telephone call system that routes calls among available counselors. The call system allows supervisors to listen to and record incoming calls to the call center. SRA advises that the capacity to monitor or record conversations is not available on any of the agency's other telephone lines, including counselors' personal telephone lines.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 466 (Delegate Griffith, *et al.*) (Chair, Joint Committee on Pensions) - Appropriations.

**Information Source(s):** Maryland State Retirement Agency, Department of Legislative Services

**Fiscal Note History:** First Reader - February 15, 2009  
mlm/rhh Revised - Senate Third Reader - March 26, 2009

---

Analysis by: Michael C. Rubenstein

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510