

SJ0005/973327/1

BY: Senator Harris

AMENDMENTS TO SENATE JOINT RESOLUTION 5, AS AMENDED
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SJ0005/769334/1) in the second to the last line of Amendment No. 1, after “void;” insert “providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to require that certain members, retirees, or beneficiaries of members or retirees are subject to a forfeiture of certain benefits if the member or retiree committed certain crimes during a certain period of time; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to provide that certain members, retirees, or beneficiaries of certain members or retirees are only entitled to a return of certain member contributions, plus interest;”.

AMENDMENT NO. 2

On page 2 of the bill, before line 3, insert:

“(e) In accordance with the authority granted under Article III, Section 15 of the Maryland Constitution, the General Assembly recommends adding Item 4 of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, to read as follows:

Item 4

(a) Benefits provided under Item 3A of this Resolution may not be paid and are not payable to any member of the Legislative Pension Plan, or the member’s

(Over)

beneficiary, if the member is convicted of or enters a plea of nolo contendere to any crime that is a felony, or that is a misdemeanor related to the member's public duties and responsibilities and involves moral turpitude for which the penalty may be incarceration in any penal institution.

(b) A retiree of the Legislative Pension Plan and the retiree's beneficiary are subject to a forfeiture of benefits under subsection (a) of this item if the retiree is receiving benefits under Item 3A of this Resolution at the time the retiree is convicted of a crime described in subsection (a) of this item.

(c) If a member or retiree is subject to a forfeiture of benefits under subsections (a) or (b) of this section, the member, retiree, or beneficiary of a member or retiree is only entitled to a return of the member's or retiree's accumulated contributions, plus interest, less any benefit payments already made under Item 3A of this Resolution; and”.

AMENDMENT NO. 3

On page 2 of the Budget and Taxation Committee Amendments, in the last line of Amendment No. 3, strike “(e)” and substitute “(f)”.