

HOUSE BILL 523

P4

8lr2605
CF SB 464

By: **Delegates Hettleman, Gaines, Gibson, Gutierrez, Haynes, Jackson, Jones, Korman, Krimm, McIntosh, Reznik, Sophocleus, Valentino-Smith, and P. Young**

Introduced and read first time: January 26, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – Employees in the Same Classification – Pay Rates**

3 FOR the purpose of providing that when an appointing authority of a unit in the State
4 Personnel Management System appoints an employee to a position in the skilled
5 service or the professional service, the Secretary of Budget and Management shall
6 require that a certain adjustment be made in the pay rate of certain incumbent
7 employees in the unit; providing that the Secretary is not required to make a certain
8 adjustment of certain pay rates for certain incumbent employees under certain
9 circumstances; requiring the Secretary of Transportation to prepare and recommend
10 a standard pay plan for the human resources management system that conforms
11 with certain provisions of this Act; making stylistic changes; and generally relating
12 to pay rates of State employees in the same classification.

13 BY repealing and reenacting, without amendments,
14 Article – State Personnel and Pensions
15 Section 8–106(a)
16 Annotated Code of Maryland
17 (2015 Replacement Volume and 2017 Supplement)

18 BY adding to
19 Article – State Personnel and Pensions
20 Section 8–106(c)
21 Annotated Code of Maryland
22 (2015 Replacement Volume and 2017 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Transportation
25 Section 2–103.4(g)
26 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2015 Replacement Volume and 2017 Supplement)

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

4 **Article – State Personnel and Pensions**

5 8–106.

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

7 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION**
8 **AND SUBJECT TO § 8–107 OF THIS SUBTITLE, WHEN AN APPOINTING AUTHORITY OF**
9 **A UNIT IN THE STATE PERSONNEL MANAGEMENT SYSTEM APPOINTS AN EMPLOYEE**
10 **TO A POSITION IN THE SKILLED SERVICE OR THE PROFESSIONAL SERVICE, THE**
11 **SECRETARY SHALL REQUIRE THAT THE PAY RATE OF EACH INCUMBENT EMPLOYEE**
12 **IN THE UNIT WHO IS IN THE SAME CLASSIFICATION AS, AND HAS A PAY RATE LOWER**
13 **THAN, THE NEWLY APPOINTED EMPLOYEE BE ADJUSTED TO EQUAL THE PAY RATE**
14 **OF THE NEWLY APPOINTED EMPLOYEE.**

15 **(2) THE SECRETARY IS NOT REQUIRED TO ADJUST THE PAY RATES OF**
16 **INCUMBENT EMPLOYEES IN A UNIT IN THE SAME CLASSIFICATION UNDER**
17 **PARAGRAPH (1) OF THIS SUBSECTION IF THE HIGHER PAY RATE OF THE EMPLOYEE**
18 **NEWLY APPOINTED TO A POSITION IN THE SKILLED OR PROFESSIONAL SERVICE BY**
19 **AN APPOINTING AUTHORITY IS BASED SOLELY ON A HIGHER LEVEL OF**
20 **QUALIFICATION OR EXPERIENCE RELEVANT TO THE POSITION.**

21 **Article – Transportation**

22 2–103.4.

23 (g) **(1)** In establishing a pay plan for the Department's human resources
24 management system, the Secretary shall use the standard salary schedule adopted by the
25 Secretary of Budget and Management pursuant to the budget.

26 **(2)** The Secretary shall prepare and recommend a standard pay plan for all
27 classes of positions in the human resources management system that conforms to the
28 provisions of §§ 8–101, 8–102, 8–104, 8–105, **8–106(C)**, and 8–109 of the State Personnel
29 and Pensions Article that govern the standard pay plan of the State.

30 **(3)** The Secretary shall have the same authority to implement a standard
31 pay plan as is delegated to the Secretary of Budget and Management.

32 **(4)** Employees in the Department may not be paid salaries in excess of
33 those paid to employees in substantially the same classifications in other State agencies.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2018.