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By: **Senator Kasemeyer (Chairman, Joint Committee on Pensions)**

Introduced and read first time: February 24, 2003

Rules suspended

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Retirement and Pension System - Board of Trustees**

3 FOR the purpose of removing certain ~~ex-officio~~ trustees from the Board of Trustees for  
4 the State Retirement and Pension System; ~~eliminating the election process of~~  
5 ~~any trustee on the Board of Trustees for the State Retirement and Pension~~  
6 ~~System; requiring the Governor to appoint certain trustees to the Board of~~  
7 ~~Trustees for the State Retirement and Pension System; authorizing certain~~  
8 ~~employee and retiree organizations to submit lists of certain names to the~~  
9 ~~Governor for appointment to the Board of Trustees for the State Retirement and~~  
10 ~~Pension System; adding additional trustees to the Board of Trustees for the~~  
11 State Retirement and Pension System who meet certain criteria; requiring the  
12 trustees to attend a certain percentage of meetings during a certain period of  
13 time with certain exceptions; requiring the Governor to remove certain trustees  
14 who do not attend a certain percentage of meetings during a certain period of  
15 time and to fill any vacancies that result from that removal in a certain manner;  
16 clarifying the responsibilities of the trustees; requiring the trustees to complete  
17 a certain amount of fiduciary and investment training during a certain period of  
18 time; requiring the State Retirement Agency to submit certain reports to the  
19 Department of Legislative Services; altering the membership of a certain  
20 investment committee of the Board of Trustees; creating an Employee  
21 Retirement Benefits Commission; providing for the membership and terms of  
22 the Commission; requiring the Commission to meet and review certain  
23 retirement benefits every certain number of years; requiring the Commission to  
24 submit a certain report by certain dates; requiring the Governor to include  
25 certain funding in the budget if the Governor makes a determination to  
26 implement certain recommendations; and generally relating to the Board of  
27 Trustees for the State Retirement and Pension System.

1 BY repealing and reenacting, with amendments,  
 2 Article - State Personnel and Pensions  
 3 Section 21-104 ~~and 21-108, 21-108, and 21-115~~  
 4 Annotated Code of Maryland  
 5 (1997 Replacement Volume and 2002 Supplement)

6 BY adding to  
 7 Article - State Personnel and Pensions  
 8 Section 33-101 to be under the new title "Title 33. Miscellaneous"  
 9 Annotated Code of Maryland  
 10 (1997 Replacement Volume and 2002 Supplement)

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

13 **Article - State Personnel and Pensions**

14 21-104.

15 (a) The Board of Trustees consists of the following 14 trustees:

16 (1) the Secretary of Budget and Management, ex officio;

17 (2) the State Comptroller, ex officio;

18 (3) [the State Superintendent of Schools, ex officio;

19 (4)] the State Treasurer, ex officio, who may appoint a deputy treasurer  
 20 as designee; AND

21 [(5) the Secretary of the State Police, ex officio;

22 (6)] (4) [two trustees who are members or retirees] ELEVEN TRUSTEES  
 23 ~~ELECTED OR APPOINTED AS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND~~  
 24 ~~CONSENT OF THE SENATE AS FOLLOWS:~~

25 (I) ONE TRUSTEE WHO IS A MEMBER of the Correctional Officers'  
 26 Retirement System, the Employees' Pension System, the Employees' Retirement  
 27 System, the Judges' Retirement System, the Legislative Pension Plan, the Local Fire  
 28 and Police System, or the Law Enforcement Officers' Pension Plan, [only one of whom  
 29 may be a retiree of any of those State systems at the time of election under subsection  
 30 (b) of this section and neither of whom may be an employee of the State Retirement  
 31 Agency] ~~WHO SHALL BE SELECTED FROM LISTS OF THREE NAMES SUBMITTED BY~~  
 32 ~~EMPLOYEE ORGANIZATIONS REPRESENTING AT LEAST 100 INDIVIDUALS WHO ARE~~  
 33 ~~MEMBERS OF ANY OF THE SYSTEMS LISTED IN THIS ITEM; ELECTED AS PROVIDED IN~~  
 34 ~~SUBSECTION (B) OF THIS SECTION AND MAY NOT BE AN EMPLOYEE OF THE STATE~~  
 35 ~~RETIREMENT AGENCY;~~

1 (II) ONE TRUSTEE WHO IS A RETIREE OF THE CORRECTIONAL  
 2 OFFICERS' RETIREMENT SYSTEM, THE EMPLOYEES' PENSION SYSTEM, THE  
 3 EMPLOYEES' RETIREMENT SYSTEM, THE JUDGES' RETIREMENT SYSTEM, THE  
 4 LEGISLATIVE PENSION PLAN, THE LOCAL FIRE AND POLICE SYSTEM, OR THE LAW  
 5 ENFORCEMENT OFFICERS' PENSION PLAN, WHO SHALL BE ~~SELECTED FROM LISTS OF~~  
 6 ~~THREE NAMES SUBMITTED BY RETIREE ORGANIZATIONS REPRESENTING AT LEAST~~  
 7 ~~50 INDIVIDUALS WHO ARE RETIREES OF ANY OF THE SYSTEMS LISTED IN THIS ITEM;~~  
 8 ELECTED AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND MAY NOT BE AN  
 9 EMPLOYEE OF THE STATE RETIREMENT AGENCY;

10 [(7)] (III) [two trustees who are members or retirees] ONE TRUSTEE WHO  
 11 IS A MEMBER OF the Teachers' Pension System or the Teachers' Retirement System,  
 12 [only one of whom may be a retiree of either State system at the time of election  
 13 under subsection (b) of this section] WHO SHALL BE ~~SELECTED FROM LISTS OF~~  
 14 ~~THREE NAMES SUBMITTED BY EMPLOYEE ORGANIZATIONS REPRESENTING AT~~  
 15 ~~LEAST 100 INDIVIDUALS WHO ARE MEMBERS OF ANY OF THE SYSTEMS LISTED IN~~  
 16 ~~THIS ITEM; ELECTED AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND MAY~~  
 17 NOT BE AN EMPLOYEE OF THE STATE RETIREMENT AGENCY;

18 (IV) ONE TRUSTEE WHO IS A RETIREE OF THE TEACHERS' PENSION  
 19 SYSTEM OR THE TEACHERS' RETIREMENT SYSTEM, WHO SHALL BE ~~SELECTED FROM~~  
 20 ~~LISTS OF THREE NAMES SUBMITTED BY RETIREE ORGANIZATIONS REPRESENTING~~  
 21 ~~AT LEAST 50 INDIVIDUALS WHO ARE RETIREES OF ANY OF THE SYSTEMS LISTED IN~~  
 22 ~~THIS ITEM; ELECTED AS PROVIDED IN SUBSECTION (B) OF THIS SECTION AND MAY~~  
 23 NOT BE AN EMPLOYEE OF THE STATE RETIREMENT AGENCY;

24 [(8)] (V) [two trustees who are members or retirees] ONE TRUSTEE WHO  
 25 IS EITHER A MEMBER OR RETIREE of the State Police Retirement System, [of whom  
 26 one is a retiree of the State Police Retirement System at the time of election under  
 27 subsection (b) of this section] WHO SHALL BE ~~SELECTED FROM LISTS OF THREE~~  
 28 ~~NAMES SUBMITTED BY EITHER EMPLOYEE OR RETIREE ORGANIZATIONS~~  
 29 ~~REPRESENTING AT LEAST 75 INDIVIDUALS WHO ARE EITHER MEMBERS OR RETIREES~~  
 30 ~~OF THE STATE POLICE RETIREMENT SYSTEM; ELECTED AS PROVIDED IN~~  
 31 SUBSECTION (B) OF THIS SECTION AND MAY NOT BE AN EMPLOYEE OF THE STATE  
 32 RETIREMENT AGENCY;

33 [(9)] (VI) one trustee who represents the interests of participating  
 34 governmental units in the Employees' Pension System and the Employees'  
 35 Retirement System; and

36 [(10)] (VII) [two] FIVE trustees who:

37 [(i)] 1. represent the interests of the public;

38 [(ii)] 2. are not members of any of the several systems; [and

39 [(iii)] 3. are [knowledgeable in the administration and operation of  
 40 pension systems and trust funds] NOT AFFILIATED WITH ANY OF THE EXTERNAL  
 41 INVESTMENT MANAGERS FOR THE SEVERAL SYSTEMS; AND

1 4. HAVE AT LEAST 10 YEARS OF SUBSTANTIAL EXPERIENCE  
2 AS ANY ONE OR A COMBINATION OF THE FOLLOWING:

3 A. A PORTFOLIO MANAGER ACTING IN A FIDUCIARY  
4 CAPACITY;

5 B. A SECURITIES ANALYST;

6 C. AN EMPLOYEE OR PRINCIPAL OF A TRUST INSTITUTION,  
7 INVESTMENT ORGANIZATION, OR ENDOWMENT FUND ACTING EITHER IN A  
8 MANAGEMENT- OR AN INVESTMENT-RELATED CAPACITY;

9 D. A CHARTERED FINANCIAL ANALYST IN GOOD STANDING;

10 E. A PROFESSOR AT THE UNIVERSITY LEVEL TEACHING  
11 ECONOMICS OR INVESTMENT-RELATED SUBJECTS;

12 F. AN ECONOMIST; OR

13 G. A PROFESSIONAL ENGAGED IN A PUBLIC OR PRIVATE  
14 FINANCIAL OR INVESTMENT FIELD THAT IS COMPARABLE TO THE FIELDS LISTED IN  
15 THIS ITEM.

16 (b) (1) (i) The trustees who are members or retirees of the Correctional  
17 Officers' Retirement System, the Employees' Pension System, the Employees'  
18 Retirement System, the Judges' Retirement System, the Legislative Pension Plan, the  
19 Local Fire and Police System, or the Law Enforcement Officers' Pension Plan shall be  
20 elected by the members and the retirees of those State systems.

21 (ii) The trustees who are members or retirees of the Teachers'  
22 Pension System or the Teachers' Retirement System shall be elected by the members  
23 and the retirees of those State systems.

24 (iii) ~~The trustees who are members or retirees~~ TRUSTEE WHO IS A  
25 MEMBER OR RETIREE of the State Police Retirement System shall be elected by the  
26 members and the retirees of that State system.

27 (iv) The elections shall be conducted under regulations that the  
28 Board of Trustees adopts.

29 (v) ~~A trustee is not eligible for reelection if:~~

30 1. ~~the trustee becomes a retiree of the Correctional Officers'~~  
31 ~~Retirement System, the Employees' Pension System, the Employees' Retirement~~  
32 ~~System, the Judges' Retirement System, the Legislative Pension Plan, the Local Fire~~  
33 ~~and Police System, or the Law Enforcement Officers' Pension Plan, and the other~~  
34 ~~elected trustee for those State systems is already a retiree of one of those State~~  
35 ~~systems;~~

1                                    2.        the trustee becomes a retiree of either the Teachers'  
 2 Pension System or the Teachers' Retirement System and the other elected trustee for  
 3 those State systems is already a retiree of one of those State systems; or

4                                    3.        the trustee becomes a retiree of the State Police  
 5 Retirement System and the other elected trustee is already a retiree of that State  
 6 system.

7                                    (2)        The trustee who represents the interests of participating subdivisions  
 8 in the Employees' Pension System and the Employees' Retirement System shall be  
 9 appointed by the Governor.

10                                  (3)        The trustees who represent the public shall be appointed by the  
 11 Governor with the advice and consent of the Senate.  ~~} A TRUSTEE MAY NOT BE AN  
 12 EMPLOYEE OF THE STATE RETIREMENT AGENCY.~~

13        ~~(e)        EACH EMPLOYEE OR RETIREE ORGANIZATION MAY ONLY SUBMIT ONE  
 14 LIST FOR EACH VACANCY IN THE OFFICE OF A TRUSTEE.~~

15        ~~(D)~~    (C)        (1)        Within 10 days after the appointment ~~{or election}~~ of an  
 16 individual as a trustee, the individual shall take and subscribe to an oath of office  
 17 that, so far as it devolves on the individual, as trustee the individual:

18                                  (i)        will diligently and honestly administer the affairs of the Board  
 19 of Trustees; and

20                                  (ii)       will not knowingly violate or willingly allow a violation of the  
 21 law applicable to the several systems.

22                                  (2)        The officer before whom the individual takes the oath shall:

23                                  (i)        certify the oath; and

24                                  (ii)       submit the oath immediately to the office of the Secretary of  
 25 State for filing in that office.

26        ~~{(d)}~~    ~~(E)~~        (1)        (i)        The term of an appointed ~~{or elected}~~ trustee is 4 years.

27                                  (ii)       Trustees who represent the public serve staggered 4-year  
 28 terms.

29                                  (2)        A trustee who is a member but not a retiree of the Correctional  
 30 Officers' Retirement System, the Employees' Pension System, the Employees'  
 31 Retirement System, the Judges' Retirement System, the Legislative Pension Plan, the  
 32 Local Fire and Police System, the Law Enforcement Officers' Pension Plan, ~~the State  
 33 Police Retirement System,~~ the Teachers' Pension System, or the Teachers' Retirement  
 34 System at the time of ~~{election}~~ ~~APPOINTMENT~~ of the trustee may NOT complete the  
 35 term of office ~~{even}~~ if, during the term, the trustee becomes a retiree of the State  
 36 system of which the trustee was a member at the time of ~~{election}~~ ~~APPOINTMENT~~.

1           (3)     A vacancy in the office of a trustee shall be filled for the unexpired  
2 term in the same manner as the office was previously filled.

3           (4)     At the end of a term, a trustee continues to serve until a successor is  
4 appointed ~~for elected~~.

5           (5)     A trustee who is appointed after a term has begun serves only for the  
6 rest of the term and until a successor is selected and qualifies.

7     ~~{(e)}~~   ~~(F)~~   (1)     EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,  
8 EACH TRUSTEE SHALL ATTEND AT LEAST 80% OF THE MEETINGS HELD BY THE  
9 BOARD OF TRUSTEES DURING A 1-YEAR PERIOD BEGINNING JANUARY 1.

10           (2)    (I)     A TRUSTEE MAY BE GRANTED AN EXCUSED ABSENCE BY THE  
11 CHAIRMAN OF THE BOARD OR ANOTHER OFFICER OF THE BOARD DUE TO ILLNESS  
12 OR FAMILY EMERGENCIES.

13                   (II)    AN EXCUSED ABSENCE UNDER THIS PARAGRAPH MAY NOT BE  
14 CONSIDERED AN ABSENCE FOR THE PURPOSES OF PARAGRAPH (1) OF THIS  
15 SUBSECTION.

16           (3)    (I)     ANY GOVERNOR-APPOINTED TRUSTEE THAT FAILS TO ATTEND  
17 AT LEAST 80% OF THE MEETINGS, NOT INCLUDING EXCUSED ABSENCES UNDER  
18 PARAGRAPH (2) OF THIS SUBSECTION, SHALL BE REMOVED FROM THE BOARD OF  
19 TRUSTEES BY THE GOVERNOR.

20                   (II)    THE GOVERNOR SHALL FILL THE VACANCY FOR THE OFFICE OF  
21 THE TRUSTEE FOR THE UNEXPIRED TERM IN THE SAME MANNER AS THE OFFICE  
22 WAS PREVIOUSLY FILLED.

23                   (III)   THE STATE RETIREMENT AGENCY SHALL SUBMIT A TRUSTEE  
24 ATTENDANCE REPORT TO THE DEPARTMENT OF LEGISLATIVE SERVICES BY JUNE 30  
25 AND DECEMBER 31 OF EACH YEAR.

26     ~~(G)~~    ~~(F)~~    [The] NOTWITHSTANDING SUBSECTION ~~(E)~~ (D) OF THIS SECTION,  
27 THE Governor may remove a Governor-appointed trustee for incompetence or  
28 misconduct.

29 21-108.

30     (a)    (1)     The responsibility for the management, general administration, and  
31 proper operation of the several systems is vested in the Board of Trustees.

32           (2)     THE BOARD OF TRUSTEES IS NOT RESPONSIBLE FOR:

33                   (I)     REVIEWING THE BENEFIT STRUCTURES FOR ANY OF THE  
34 SEVERAL SYSTEMS, EXCEPT FOR THE PURPOSE OF MAKING TECHNICAL  
35 CORRECTIONS; OR

1 (II) CONSIDERING BENEFIT ENHANCEMENTS FOR ANY OF THE  
2 SEVERAL SYSTEMS.

3 (3) (I) EACH TRUSTEE ON THE BOARD OF TRUSTEES IS REQUIRED TO  
4 COMPLETE 4 HOURS OF INVESTMENT AND FIDUCIARY TRAINING DURING A 1-YEAR  
5 PERIOD BEGINNING JANUARY 1.

6 (II) THE TRAINING SHALL BE CONDUCTED AT THE STATE  
7 RETIREMENT AGENCY BY AN ENTITY NOT AFFILIATED WITH ANY OF THE EXTERNAL  
8 INVESTMENT MANAGERS FOR THE SEVERAL SYSTEMS.

9 (III) ON OR BEFORE JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE  
10 STATE RETIREMENT AGENCY SHALL SUBMIT A REPORT TO THE DEPARTMENT OF  
11 LEGISLATIVE SERVICES THAT PROVIDES A SUMMARY OF THE TRAINING REQUIRED  
12 BY THIS PARAGRAPH THAT WAS COMPLETED BY EACH TRUSTEE DURING THAT  
13 6-MONTH PERIOD.

14 (b) In addition to the Investment Committee established under § 21-114 of  
15 this subtitle, the Board of Trustees may establish other committees.

16 (c) Subject to § 21-123 of this subtitle, the Board of Trustees shall have full  
17 power to invest the assets of the several systems.

18 21-115.

19 (a) The Board of Trustees shall:

20 (1) specify by resolution the number of members of the Investment  
21 Committee; and

22 (2) [except as provided in subsection (b)(2) of this section,] appoint  
23 annually the members of the Investment Committee from the members of the Board  
24 of Trustees.

25 (b) The Board of Trustees shall ensure that the membership of the Investment  
26 Committee includes:

27 (1) a [representative of each of] TRUSTEE REPRESENTING:

28 (i) the Employees' Pension System or the Employees' Retirement  
29 System;

30 (ii) the Teachers' Pension System or the Teachers' Retirement  
31 System; and

32 (iii) the State Police Retirement System; and

33 (2) [three representatives from the public appointed by the Board of  
34 Trustees with the approval of the Board of Public Works for staggered 3-year terms  
35 who:

1 (i) are not members, retirees, or beneficiaries under any of the  
 2 several systems; and

3 (ii) have had experience in the management and control of large  
 4 investments.] THREE TRUSTEES WHO WERE APPOINTED UNDER § 21-104(A)(4)(VII) OF  
 5 THIS SUBTITLE.

6 (c) [The Board of Trustees may:

7 (1) set additional qualifications for public members; and

8 (2) adopt regulations on ethical standards and conflicts of interest for  
 9 public members.

10 (d)] By resolution, the Board of Trustees shall designate the chairman of the  
 11 Investment Committee.

12 TITLE 33. MISCELLANEOUS.

13 33-101.

14 (A) THERE IS AN EMPLOYEE RETIREMENT BENEFITS COMMISSION.

15 (B) THE COMMISSION CONSISTS OF THE FOLLOWING FIVE MEMBERS:

16 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE  
 17 PRESIDENT OF THE SENATE;

18 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE  
 19 SPEAKER OF THE HOUSE;

20 (3) ONE MEMBER WHO IS AN ACTIVE MEMBER OF ONE OF THE STATE  
 21 SYSTEMS AND IS NOT A MEMBER OF THE BOARD OR AN EMPLOYEE OF THE STATE  
 22 RETIREMENT AGENCY, APPOINTED BY THE GOVERNOR;

23 (4) ONE MEMBER WHO IS A RETIREE OF ONE OF THE STATE SYSTEMS  
 24 AND IS NOT A MEMBER OF THE BOARD OR AN EMPLOYEE OF THE STATE RETIREMENT  
 25 AGENCY, APPOINTED BY THE GOVERNOR; AND

26 (5) ONE MEMBER WHO:

27 (I) REPRESENTS THE INTERESTS OF THE PUBLIC;

28 (II) IS NOT A STATE EMPLOYEE; AND

29 (III) MAY NOT HAVE A HOUSEHOLD MEMBER WHO IS A STATE  
 30 EMPLOYEE.

31 (C) (1) THE TERM OF A MEMBER IS 6 YEARS.



1           (2)     A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM  
2 SERVES ONLY FOR THE REMAINDER OF THAT TERM.

3           (3)     A MEMBER MAY BE REAPPOINTED BUT MAY NOT SERVE MORE THAN  
4 TWO CONSECUTIVE FULL TERMS.

5     (D)     A MEMBER OF THE COMMISSION:

6           (1)     MAY NOT RECEIVE COMPENSATION; BUT

7           (2)     IS ENTITLED TO RECEIVE REIMBURSEMENT FOR EXPENSES UNDER  
8 THE STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.

9     (E)     THE COMMISSION SHALL BE STAFFED BY THE DEPARTMENT OF BUDGET  
10 AND MANAGEMENT.

11     (F)     BEGINNING IN 2004 AND EVERY 3 YEARS THEREAFTER, THE COMMISSION  
12 SHALL:

13           (1)     MEET AND REVIEW THE RETIREMENT BENEFITS OF INDIVIDUALS  
14 PARTICIPATING IN ANY OF THE STATE SYSTEMS; AND

15           (2)     MAKE RECOMMENDATIONS AS TO THE APPROPRIATE LEVEL OF  
16 RETIREMENT BENEFITS FOR INDIVIDUALS PARTICIPATING IN ANY OF THE STATE  
17 SYSTEMS.

18     (G)     THE REVIEW REQUIRED UNDER SUBSECTION (F) OF THIS SECTION SHALL  
19 INCLUDE:

20           (1)     FOR EACH STATE SYSTEM, A COMPARISON OF THE RETIREMENT  
21 BENEFITS PROVIDED TO EMPLOYEES IN THE STATE AND EMPLOYEES IN OTHER  
22 STATES;

23           (2)     FOR EACH STATE SYSTEM, A COMPARISON OF ANY STATE OR LOCAL  
24 RETIREE HEALTH BENEFITS PROVIDED TO EMPLOYEES IN THE STATE AND  
25 EMPLOYEES IN OTHER STATES;

26           (3)     FOR EACH STATE SYSTEM, A COMPARISON OF THE EMPLOYEE  
27 CONTRIBUTION AMOUNT FOR RETIREMENT BENEFITS AND ANY STATE OR LOCAL  
28 RETIREE HEALTH BENEFITS PROVIDED TO EMPLOYEES IN THE STATE AND  
29 EMPLOYEES IN OTHER STATES;

30           (4)     FOR EACH STATE SYSTEM, AN ANALYSIS OF THE TOTAL VALUE OF  
31 THE RETIREMENT BENEFITS INCLUDING ANY RETIREE HEALTH BENEFITS AS  
32 COMPARED TO THE VALUE OF RETIREMENT BENEFITS, INCLUDING HEALTH  
33 BENEFITS IN OTHER STATES; AND

34           (5)     FOR EACH STATE SYSTEM, AN ANALYSIS OF THE TOTAL EMPLOYEE  
35 CONTRIBUTION AS A PERCENTAGE VALUE OF THE RETIREMENT BENEFITS AS  
36 DETERMINED IN ITEM (4) OF THIS SUBSECTION.

1     (H)     ON OR BEFORE DECEMBER 1, 2004, AND EVERY 3 YEARS THEREAFTER, THE  
2 COMMISSION SHALL REPORT TO THE GOVERNOR, THE SECRETARY OF BUDGET AND  
3 MANAGEMENT, AND THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF  
4 THE STATE GOVERNMENT ARTICLE, ON THE FINDINGS AND RECOMMENDATIONS OF  
5 THE COMMISSION.

6     (I)     IF THE GOVERNOR MAKES A DETERMINATION TO IMPLEMENT ANY  
7 RECOMMENDATIONS OF THE COMMISSION, THE GOVERNOR SHALL INCLUDE IN THE  
8 BUDGET FOR THE NEXT FISCAL YEAR THE FUNDING NECESSARY TO IMPLEMENT  
9 THOSE RECOMMENDATIONS.

10    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 2003.