

HOUSE BILL 458

P4

8lr2529
CF SB 349

By: **Delegate G. Clagett**

Introduced and read first time: January 30, 2008

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2008

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
9 employees under certain circumstances; repealing a certain reporting
10 requirement; and generally relating to reports by the Secretary of Budget and
11 Management and 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
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2007 Supplement)

17 BY repealing
18 Article – State Personnel and Pensions
19 Section 8–108(c)(3)
20 Annotated Code of Maryland
21 (2004 Replacement Volume and 2007 Supplement)

22 BY repealing and reenacting, with amendments,
23 Article – Transportation

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.



1 Section 2-103.4(h)
 2 Annotated Code of Maryland
 3 (2001 Replacement Volume and 2007 Supplement)

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

6 **Article – State Personnel and Pensions**

7 8-103.

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

10 ~~¶(b)~~ **(1)** Subject to § 2-1246 of the State Government Article, the Secretary
 11 shall submit to the Department of Legislative Services, on or before ~~September 1~~
 12 **JULY 15, OCTOBER 15, JANUARY 15, AND APRIL 15** of each ~~year~~, **FISCAL YEAR:**

13 **(I)** a list of the position, pay grade and step, **TITLE, NAME,** and
 14 pay rate of each employee who was included in the Executive Pay Plan as of the **LAST**
 15 **DAY OF THE** preceding ~~June 30~~ **FISCAL QUARTER; AND**

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

19 **(2)** **(I)** **THE QUARTERLY REPORTS REQUIRED UNDER**
 20 **PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE EACH FLAT-RATE**
 21 **EMPLOYEE POSITION IN THE EXECUTIVE PAY PLAN.**

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

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

27 **2.** **CORRESPONDS TO THE POSITION IDENTIFICATION**
 28 **NUMBER USED IN THE BUDGET DATA PROVIDED ANNUALLY BY THE SECRETARY**
 29 **TO THE DEPARTMENT OF LEGISLATIVE SERVICES.**

30 8-108.

31 (c) **[(3)** Subject to § 2-1246 of the State Government Article, the Secretary
 32 shall submit to the Department of Legislative Services a copy of documentation for any

1 specific recruitment, retention, or other issue that warranted a pay increase under this
2 subsection.]

3 **Article - Transportation**

4 2-103.4.

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

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

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

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

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

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

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

29 **2. CORRESPONDS TO THE POSITION**
30 **IDENTIFICATION NUMBER USED IN THE BUDGET DATA PROVIDED ANNUALLY BY**
31 **THE SECRETARY TO THE DEPARTMENT OF LEGISLATIVE SERVICES.**

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