

CHAPTER 274

(House Bill 458)

AN ACT concerning

State Personnel – Executive Pay ~~Plan Plans~~ – Reporting Requirements – ~~Repeal~~

FOR the purpose of ~~repealing~~ altering a certain requirements requirement that the Secretary of Budget and Management provide ~~certain reports~~ a report to the Department of Legislative Services on Executive Pay Plan employees under certain circumstances; requiring the Secretary of Transportation to provide a report to the Department of Legislative Services on Executive Pay Plan employees under certain circumstances; repealing a certain reporting requirement; and generally relating to reports by the Secretary of Budget and Management and the Secretary of Transportation on the Executive Pay Plan.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 8–103
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.4(h)
Annotated Code of Maryland
(2001 Replacement Volume and 2007 Supplement)

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

Article – State Personnel and Pensions

8–103.

~~{a}~~ Subject to the approval of the Governor, the Secretary shall adopt regulations to carry out this subtitle.

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

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

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

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

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

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

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

8-108.

(c) [(3) Subject to § 2-1246 of the State Government Article, the Secretary shall submit to the Department of Legislative Services a copy of documentation for any specific recruitment, retention, or other issue that warranted a pay increase under this subsection.]

Article - Transportation

2-103.4.

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

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

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

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

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

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

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

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

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

Approved by the Governor, April 24, 2008.