



# Retirement News Highlights

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## Panel reviews ban on pension benefits for disgraced lawmakers' families

By Bryan P. Sears

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A decade-old provision stripping pension benefits from some family members of convicted lawmakers could be reversed.

The nine-member General Assembly Compensation Commission is looking at the provision — described as harsh by some — as part of a quadrennial review of salaries and benefits for 188 members of the state legislature.

“Frankly it was at a time when there were some quite significant issues around some of the members in the legislature, and the provision was added,” said Simon Powell, part of the staff to the committee.

The penalty dates back about a decade when the legislature sought to make it easier to remove colleagues convicted of crimes.

Those changes also required convicted lawmakers to lose their pensions.

Powell described the rule “as an extremely harsh provision compared to the provisions that have come into place in statute following that.”

Since then, two previous compensation commissions reviewed the mandate. Some worry it penalizes former spouses awarded a portion as part of a divorce settlement, and disabled children.

Four years ago, the panel voted 8-1 to reject such a change.

The rule is stricter than the provisions affecting the former spouses and dependents of constitutional officers who are later convicted of a crime. Current law protects those benefits, including when ordered by the court in divorces occurring before the conviction.

“The problem as I see it is that the legislature was the one that put this in place, but you’re the only ones that can soften it because if the legislature were to try to do that themselves, one could make the reasonable argument that that’s actually increasing their benefits, which is something they are not allowed to do,” Powell told the panel.

The commission will make recommendations on salaries and benefits for lawmakers who take office in 2023. A vote is expected in January just before the panel must deliver its recommendations to the General Assembly.

Lawmakers then can vote for the recommendations or reduced recommended increases. They may not vote to increase the salary or benefits above the commission's recommendations.

Currently, lawmakers earn slightly more than \$50,000 annually. The presiding officers in the House and Senate earn just over \$65,000. Both salaries have not increased since 2018.

Adjusted for inflation, the salary of a rank-and-file lawmaker is about 78% of the state's median personal income. More than eight in 10 lawmakers in what is considered a "part-time legislature" have other jobs.

"A lot are employed outside of their commitment, but in part they have to," said Latosha Frink-Harrison, a member of the commission. "When you look at what they are currently paid, who in the state of Maryland can survive off that salary?"

Wendell Rakosky, another commissioner, questioned the need for a raise, including a cost-of-living increase.

"I would like to have some type of data that tells me what I'm supposed to be doing as opposed to feeling I should be doing something," said Rakosky.

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