



# Retirement News Highlights

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## Quiet Changes During 2022 Legislative Session: Pay Increases For Top Officials

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As the 2022 General Assembly session — and the terms of all state elected officials — winds down, a series of pay raises has quietly gone into effect.

Pay increase recommendations for the state's judges and top elected officials automatically become law in Maryland if the General Assembly doesn't act on them, a deadline that passed in mid-March. And with a few days left in the 90-day legislative session, it's also likely that the state's next set of legislators will have higher pay.

Delegates and senators will likely see a pay increase of about \$6,306 — an increase of more than 12% — during the next term, assuming the General Assembly doesn't act on a compensation commission's report.

According to the Maryland Constitution, the General Assembly can reduce or reject, but not increase, the final pay recommendations from the compensation commission. The committee's finalized recommendations take effect when the next term of office in the General Assembly begins.

The General Assembly Compensation Commission recommended pay increases for lawmakers of 4% in 2023 and 2024 and 2% in 2025 and 2026. That would bring lawmakers' salaries up to \$56,636 in the fourth year of the next term. The current annual salary is \$50,330.

The House speaker and Senate president would also see the same percentage salary increase under the commission's proposal, bringing their pay from the current \$65,371 to \$73,562.

The compensation panel finalized their recommendations earlier this year, and according to the Department of Legislative Services, lawmakers only needed to act if they wanted to modify those recommendations.

Republican lawmakers introduced resolutions in both the House of Delegates and the Senate to reject the panel's recommendations in an effort to create a public vote on the pay raises, with Senate Minority Leader Bryan W. Simonaire (R-Anne Arundel) criticizing the process in a March press release as being "draped in the cloak of secrecy." But those measures didn't advance out of committees in either chamber.

Members of the compensation panel were split on whether to recommend increased pay. Wendell G. Rakosky, a Hogan appointee to the commission, opposed significant raises to lawmakers' salaries at a meeting in January, noting that Maryland legislators are among the highest-compensated in states the

NCSL considers to have a hybrid model, meaning the legislature isn't full-time but lawmakers say they spend more than two-thirds of a full-time job being legislators.

But Lester Davis, a Jones appointee, said at that meeting that lawmakers are spending more time than before on legislative work outside of the session. In a Department of Legislative Services survey conducted as part of the panel's work, lawmakers who responded said they spend a significant amount of time working on legislative issues outside of the session.

Of the 136 lawmakers who responded to that survey, 28% said they dedicate 40 or more hours per week to legislative activities outside of the legislative session, 29% said they spend between 30 and 39 hours per week on legislative activity, 36% said they spend between 20 and 29 hours per week and 7% indicated they spend less than 20 hours per week on legislative activities outside of the regular session. And roughly 96% of those lawmakers said they spend 40 or more hours per week on legislative activities during the regular 90-day legislative session.

According to a 2021 report by the nonpartisan group New American Leaders, lawmakers' pay is tied to who can afford to run for office and lower pay hampers diversity in legislatures. That report states that "the flexibility required by legislatures is simply not the type of flexibility that industries like hospitality, administrative, social services, or educational fields can offer. Workers in industries that traditionally require more structured hours also struggle with access to the capital that is required to run for office in the first place."

Panelists worried that, if no increase was given, lawmakers would essentially see their compensation reduced due to inflation. According to the commission's report, the average per capita personal income statewide in Maryland was \$64,640 in 2020.

"If we don't give an increase, at the very least an inflationary increase, we're actually reducing the salaries," Lyn Dippel, a Hogan appointee, said in January. Rakosky suggested the 4% increase for both 2023 and 2024 and 2% increase for 2025 and 2026 as a compromise, and panelists coalesced around that proposal.

### **Gubernatorial pay increases**

Maryland's next governor will also get a pay raise. The Governor's Salary Commission, likewise appointed every four years to mull gubernatorial pay, recommended pay increases for the governor and other top officials last year.

The governor's salary will increase from the current \$180,000 rate to \$195,000 in 2026, an 8% increase. The next lieutenant governor will also see an increase during the next term from the \$149,500 to \$175,000. That amounts to an increase of 17%.

Unlike the General Assembly Compensation Commission's recommendation, salary increases from the Governor's Salary Commission are constitutionally required to be introduced in the General Assembly as a joint resolution. The General Assembly didn't pass the resolution with the recommended pay increases within 50 days of its introduction, which under Maryland law means the pay increases for governor and lieutenant governor were automatically adopted.

The Governor's Salary Commission also recommended pay increases for the comptroller, attorney general and treasurer to mirror the lieutenant governor increase of \$149,500 to \$175,000 and a secretary of state pay increase from \$105,500 to \$120,000 in their report. Those salaries are set in

statute and need a regular bill to change, but as the clock ticks down on the 2022 legislative session, a measure to do so is languishing in the Senate.

House Bill 424, introduced by House Speaker Adrienne A. Jones (D-Baltimore County) at the request of the Governor's Salary Commission, passed the House of Delegates on March 18 but has yet to receive a hearing in the Senate Budget and Taxation Committee. And the bill's crossfile, introduced by Senate President Bill Ferguson (D-Baltimore City), has yet to advance out of that same committee despite having a hearing on February 9.

According to a Department of Legislative Services analysis conducted last year, Maryland's governor was the ninth-highest paid in the nation. New York's governor had the highest pay at \$225,000.

### **Judicial pay increases**

The Judicial Compensation Commission recommended pay increases for judges statewide — a measure that likewise quietly went into effect when lawmakers didn't act on the recommendations.

Court of Appeals Chief Judge Joseph M. Getty is set to retire this month as he reaches the state's age limit for judges, but his successor will see a gradual salary increase from the current \$215,433 to \$255,433 by the 2026 fiscal year, according to the resolution language.

Associate judges on the Court of Appeals will also see salary increases, moving from the current \$196,433 to \$236,433.

The Court of Special Appeals' chief judge will see a salary increase to \$226,633 from the current \$186,633 by the 2026 fiscal year. Associate Court of Special Appeals judges' salaries will increase from \$183,633 to \$223,633 over that same time period.

The salary of judges in circuit courts statewide will increase from the current \$174,433 to \$214,433. District court chief judges' salaries will increase from \$183,633 to \$223,633, and district court associate judges' salaries will move from \$161,333 to \$201,333 by the 2026 fiscal year.

Like the Governor's Salary Commission, the recommendations from the Judicial Compensation Commission are introduced as a joint resolution and are automatically enacted if the General Assembly doesn't adopt the measure within 50 calendar days of its introduction.

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