

(b) Added political problems could be created for the presiding officers whereby competition for committee chairmanships could be encouraged through higher salaries instead of the primary requisite: a willingness to assume additional responsibility as a legislator.

#### *C. Actual Expenses Incurred during Legislative Service*

A salary increase to \$11,000 must be accompanied by removal of all existing per diem expense allowances and compensation. The Commission believes that per diem payments have been partially fostered by failure of the electorate to approve, by constitutional amendment, a salary representing adequate total compensation paid each legislator. We believe that an \$11,000 salary is adequate and that it must represent total compensation to maintain public trust in the legislative branch of Maryland government.

Instead of per diem payments which were opposed by all witnesses who testified, the Commission recommends that actual expenses incurred in the course of legislative duties be reimbursed on a vouchered basis, subject to a maximum of \$25 per day. Reimbursement for actual expenses will compensate the legislator who must remain in Annapolis overnight because of distance from his home and the requirements of legislative business. This reimbursement is appropriate both during a session and between sessions of the General Assembly when the member is attending sessions and between sessions of the General Assembly when the member is attending sessions of the Legislature or of committees. We believe that vouchered expenses help maintain legislative procedures on a business basis, identical to requirements for all State employees. A legislator who desires to commute to and from his home is entitled to a mileage allowance in lieu of reimbursement for lodging expenses.

#### *D. Pension for Members of the General Assembly*

Chapter 281 of the Laws of Maryland of 1966 adopted a pension plan for members of the General Assembly, which continues in the law today as Article 73B, Section 11(13) of the Maryland Code (1970 Replacement Volume). With only one relatively minor amendment (Chapter 458 of the Laws of Maryland of 1970) this plan has remained unchanged since its adoption.

By letter dated January 11, 1971, the Attorney General of Maryland, pursuant to a written request from this Commission, advised the Commission that, subject to certain limitations, it had the power to examine and modify the existing pension structure. It became necessary then for the Commission to give study to the existing pension system and then review it also in light of the recommendations which have already been discussed above. Under the existing system, legislators make a contribution in the amount of 15% of their annual "compensation". In return for this, the legislator, after 16 years of service at any age, or after eight or more years of service at age 55, receives an annual pension for life from the State calculated at one-twentieth (1/20th) of his "highest annual earnable compensation" for each year of service, not to exceed one hundred percent (100%) after twenty (20) years. The system is optional, rather than mandatory, and there is also a provision that members of the General Assembly in active service at the time of the commencement of the plan (July 1, 1966) could contribute a statutorily defined amount of money for past years of service in order to receive benefits therefor.