

presiding officers, the Senate or the House may effect a salary increase under subsection (a) of this section.

The former reference to the "next session" also is unclear, since the reference may encompass either a regular or special session.

The Director of the Department of Fiscal Services indicates that, in practice, the General Assembly has not specifically acted on increases authorized while the General Assembly is not in session. Rather, salary increases have been effective until the budget for the next fiscal year becomes effective and, then, have depended on whether the budget contained money.

The Commission has not attempted to codify this practice in subsection (d) of this section, because of the numerous problems. Compare, however, § 7-209(d)(2)(iii), which relates to salaries in the Executive Branch of the State government.

The first sentence of former Art. 15A, § 20(d), which stated that the salary listed in a State budget for a nonclassified position is a "statutory ceiling", is deleted as unnecessary in light of § 7-112 of this title.

7-209. AMENDMENT OF SCHEDULE FOR EXECUTIVE BRANCH.

(A) OFFICE OF GOVERNOR.

THE GOVERNOR MAY AMEND THE SCHEDULE FOR AN APPROPRIATION TO THE OFFICE OF THE GOVERNOR.

(B) OTHER UNITS.

(1) EXCEPT AS PROVIDED IN § 7-212 OF THIS SUBTITLE, WHENEVER AN OFFICER OR UNIT OF THE EXECUTIVE BRANCH OF THE STATE GOVERNMENT WANTS THE SCHEDULE FOR AN APPROPRIATION TO THE OFFICER OR UNIT AMENDED, THE OFFICER OR UNIT SHALL SUBMIT A PROPOSED AMENDED SCHEDULE TO THE SECRETARY OF BUDGET AND FISCAL PLANNING.

(2) THE SECRETARY OF BUDGET AND FISCAL PLANNING SHALL ENDORSE ON OR ATTACH TO THE PROPOSED AMENDED SCHEDULE A RECOMMENDATION AND SEND THE SCHEDULE AND RECOMMENDATION TO THE GOVERNOR.

(3) AT ANY TIME BEFORE THE GOVERNOR APPROVES OR DISAPPROVES THE PROPOSED AMENDED SCHEDULE, THE OFFICER OR UNIT MAY WITHDRAW THE SCHEDULE.

(4) WHENEVER THE GOVERNOR APPROVES A PROPOSED AMENDED SCHEDULE, THE GOVERNOR SHALL ENDORSE IT AS "APPROVED".