

rates of pay for the services performed, comparable services in public and private employment, living costs, maintenance or other benefits received by employees, and the State's financial condition and policies.

(III) The pay plan shall take effect when funds for that purpose are available within the budget.

(IV) 1. The Secretary, with the approval of the Governor, may amend the pay plan for specific classifications of positions in order to recruit or retain competent personnel or to ensure that compensation rates adequately compensate the skills, knowledge, effort, responsibility, and working conditions.

2. An amendment may not take effect unless sufficient funds have been included within the budget for that purpose.

3. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, SALARY ADJUSTMENTS TO THOSE EXECUTIVE BRANCH POSITIONS LISTED IN THE BUDGET BILL IN ACCORDANCE WITH § 7-109 OF THE STATE FINANCE AND PROCUREMENT ARTICLE SHALL BE CONTINGENT UPON THE APPROVAL OF THE BOARD OF PUBLIC WORKS.

(V) Amendments to the pay plan shall be reported to the General Assembly by the 15th day of the next regular session. The General Assembly may reject amendments to the pay plan. If an amendment is rejected, the appropriate salary reduction shall become effective in the next fiscal year.

(2) (I) THE SECRETARY SHALL ESTABLISH AN EXECUTIVE PAY PLAN IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION. THE EXECUTIVE PAY PLAN SHALL INCLUDE EXECUTIVE--MANAGEMENT POSITIONS--IN--THE--EXECUTIVE--BRANCH,--AS--DETERMINED--BY--THE--SECRETARY ALL PERMANENT POSITIONS IN THE EXECUTIVE BRANCH, INCLUDING POSITIONS IN THE GOVERNOR'S OFFICE, WITH A SALARY ABOVE THE LOWEST SALARY IN THE EXECUTIVE PAY PLAN AND WHICH ARE NOT INCLUDED IN THE PAY PLAN FOR GRADED STATE EMPLOYEES AS PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION. THE EXECUTIVE PAY PLAN SHALL NOT INCLUDE CONSTITUTIONAL OFFICERS, POSITIONS FOR WHICH SALARIES BY LAW ARE DETERMINED BY JUDICIAL SALARIES, AND POSITIONS FOR WHICH SALARIES ARE DETERMINED BY AN AGENCY WITH INDEPENDENT SALARY SETTING AUTHORITY UNLESS THE POSITIONS ARE INCLUDED IN THE EXECUTIVE PAY PLAN PURSUANT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE SECRETARY--MAY--INCLUDE--IN--THE--EXECUTIVE--PAY--PLAN EXECUTIVE-MANAGEMENT-POSITIONS-IN-THE-FOLLOWING-AGENCIES:

1.--THE-GOVERNOR'S-OFFICE;

2.--MARYLAND-STADIUM-AUTHORITY;