

(II) FIXED RATES.

(B) CONSIDERATIONS.

IN SETTING OR AMENDING A PAY RATE, THE SECRETARY SHALL CONSIDER:

- (1) THE PREVAILING PAY RATES FOR COMPARABLE SERVICES IN PRIVATE AND PUBLIC EMPLOYMENT;
- (2) EXPERIENCE;
- (3) LIVING COSTS;
- (4) BENEFITS; AND
- (5) THE FINANCIAL CONDITION AND POLICIES OF THIS STATE.

(C) LIMITATIONS.

(1) A PAY RATE IN EITHER PAY PLAN IS SUBJECT TO ANY LIMITATIONS INCLUDED IN THE STATE BUDGET.

(2) THE STARTING PAY RATE FOR AN EMPLOYEE WHOSE POSITION IS IN THE EXECUTIVE PAY PLAN MAY NOT EXCEED THE PAY RATE SET FOR THE SECOND STEP OF THE GRADE SPECIFIED FOR THE POSITION, UNLESS:

- (I) EXCEPTIONAL CIRCUMSTANCES EXIST; AND
- (II) THE BOARD OF PUBLIC WORKS APPROVES THE HIGHER STARTING PAY.

(3) THE PAY RATE FOR A PHYSICIAN IN THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE WHOSE POSITION IS IN THE EXECUTIVE PAY PLAN SHALL BE SET IN ACCORDANCE WITH THE PHYSICIAN-ADMINISTRATOR PAY SCHEDULE.

REVISOR'S NOTE: Subsection (a)(1) of this section is new language added to state expressly the methods by which pay rates in the Standard Pay Plan are set in practice.

Subsections (a)(2), (b), and (c) of this section are new language derived without substantive change from former Art. 64A, § 27(a)(1)(ii), (a)(2)(iii), and (a)(2)(vi) through (viii).

In subsection (b) of this section, the reference to "amending" a pay rate is added for clarity.

In subsection (b)(4) of this section, the former reference to "maintenance", which referred to meals and housing provided by the State, is deleted as included in the general reference to "benefits".