

2005 CHARTER REVIEW COMMITTEE

A G E N D A

July 20, 2006 - 7:00 P.M. - Caucus Room - City Hall - City of Dover

AGENDA ADDITIONS/DELETIONS

1. Discussion - Creation of a Compensation Commission

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DELAWARE CODE

TITLE 29

State Government

State Agencies and Offices Not Created by Constitution

CHAPTER 33. DELAWARE COMPENSATION COMMISSION

§ 3301. Established; composition; qualifications; terms of office.

There is established a commission known as the "Delaware Compensation Commission," hereinafter referred to as the "Commission," consisting of 6 members, 2 of whom shall be appointed by the Governor, 1 by the President Pro Tempore of the Senate and 1 by the Speaker of the House of Representatives. The fifth member shall be the President of the Delaware Round Table. The Director of the Office of Management and Budget of the State shall serve as an ex officio and nonvoting member of the Commission. The appointees shall be persons not holding any public office nor employed substantially full-time with compensation by this State while serving on this Commission. Those appointed shall serve for a 6 year term. Any member is eligible for reappointment. (64 Del. Laws, c. 449, § 1; 75 Del. Laws, c. 88, § 20(6).)

§ 3302. Chairperson; expenses.

The Commission shall elect 1 of its members chairperson. Members of the Commission shall be reimbursed for actual and necessary expenses, including mileage, incurred while performing the duties imposed by this chapter. The costs and expenses of the Commission shall be paid out of funds appropriated to the Governor's office. (64 Del. Laws, c. 449, § 1; 70 Del. Laws, c. 186, § 1.)

§ 3303. Remuneration study; report.

(a) The Commission shall make a study of the salaries, emoluments, mileage, per diem, travel and other expense allowances and reimbursements (hereinafter collectively referred to as "remuneration") of the members of the General Assembly, the Governor, members of the Governor's cabinet, the Lieutenant Governor, the State Auditor, the State Treasurer, the Attorney General, the Insurance Commissioner, the Justices of the Supreme Court, the Chancellor and Vice-Chancellors of the Court of Chancery and all judges, associate judges and court commissioners of the Superior Court, the Court of Common Pleas and the Family Court, the Chief Magistrate, the justices of the peace and the Public Defender.

(b) On January 1, 1985, the Commission shall submit to the Governor, the Chief Justice, the President Pro Tempore of the Senate and the Speaker of the House of Representatives its first report establishing such remuneration. Thereafter, the Commission shall cause a report to be prepared every 4 years and submitted on the first day of the session of the General Assembly. The rate of remuneration established in the report for offices which salaries are more than \$25,000, except for

the Governor shall not exceed 120% of the remuneration received in the fiscal year in which the report is submitted. All departments and divisions of the State shall cooperate in furnishing to the Commission such information as the Commission may deem to be necessary to discharge its duties. With each report, the Commission shall include its recommendations to the Governor and General Assembly concerning pension benefits for members of the General Assembly, subject to the approval of the Board of Pension Trustees that such recommendations are based on reasonable actuarial assumptions and that such recommendations shall not require any additional state appropriation. (64 Del. Laws, c. 449, § 1; 66 Del. Laws, c. 185, § 17; 67 Del. Laws, c. 281, § 10(c)(iii); 72 Del. Laws, c. 395, §§ 40, 44.)

§ 3304. Effect of Commission report.

The remuneration for all offices specified in § 3303 of this title established by the report shall take effect and have the force and effect of law as of the 1st day of February following submission, unless the General Assembly shall by joint resolution reject the report in its entirety within 30 days following the commencement of its session. (64 Del. Laws, c. 449, § 1; 66 Del. Laws, c. 303, § 33; 68 Del. Laws, c. 290, § 10(e).)

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ATTEST:

Deborah Heinbuch, MMC
City Clerk

THE ANNAPOLIS CITY COUNCIL

BY: _____
ELLEN O. MOYER, MAYOR

CHARTER REFERENCE - CITY OF ANNAPOLIS MARYLAND

Article II ELECTION OF MAYOR AND ALDERMEN

Sec. 1. Wards.

The city shall be divided by ordinance into eight (8) wards of approximately equal population. One (1) or more additional wards of the city may be established by ordinance if additional territory is annexed to the city as provided in Article III, Section 4 of this Charter.

Sec. 2. General election dates.

The citizens and residents of the City of Annapolis qualified to vote for members of the General Assembly of Maryland, and otherwise qualified by the registration and election laws for such cases made and provided, shall elect by ballot, every four (4) years, beginning in 1985, on the first Tuesday after the first Monday in November, a mayor; and the qualified voters, in each ward shall at the same time elect by ballot one (1) resident of the ward as alderman.

Sec. 3. Terms; qualifications for office.

(a) The mayor and aldermen shall each serve terms of four (4) years, or until their successors are elected and qualified. The beginning and ending of each term is as prescribed in Article II, Section 5 of this Charter.

(b) The mayor must be a registered voter in the city for at least two (2) years immediately preceding the date of the general election. A person may not hold office as mayor for more than two (2) full consecutive terms to which elected in the manner provided by Article II, Section 5 of this Charter.

(c) Aldermen, except those first elected from areas annexed to the city, shall be registered voters in the city for at least one (1) year immediately preceding their election and a registered voter in the ward from which they are elected for at least six months and must have resided in that ward for at least six (6) months immediately preceding the date of the general election. (Amended by Res. CA-6-94 § 1; Res. CA-1-86 § 1)

Sec. 4. Salaries; review commission.*

(a) The mayor and each alderman shall receive a salary as established by ordinance of the city council in accordance with the procedures established in subsection (b) below. The mayor and aldermen shall be allowed such amounts for expenses as established by ordinance.

(b) (1) Not later than one (1) year prior to the date of any general municipal election for the election of mayor and aldermen, the city council shall appoint a commission consisting of not less than three (3) nor more than seven (7) residents of the city to review the compensation and allowances to be paid to the mayor and aldermen during the ensuing terms of office.

(2) The commission, by resolution, shall submit its recommendations for compensation and allowances to the city council not later than nine (9) months prior to the date of the next general municipal election. The commission may recommend an increase or decrease in the compensation paid to the mayor and aldermen.

(3) Upon receiving the resolution of the commission, the city council shall conduct a public hearing regarding the commission's recommendation. Thereafter, the city council may reduce or reject the commission's recommendation, but it may not increase any item in the resolution. The recommendations contained in the resolution, and any permitted changes to such recommendations, shall not become effective unless adopted by ordinance enacted at least three (3) months prior to the elections of the next succeeding mayor and aldermen, and shall take effect only for the next succeeding terms of office of the mayor and aldermen.

(4) The salaries specified at the time a mayor and aldermen take office may not be changed during that period for which the mayor and aldermen were elected.

(Amended by Ord. CA-1-01 § 1)

* Editor's note--Based on the recommendations of a commission appointed by the city council pursuant to this section, Ord. O-18-01 altered the salaries of the mayor and alderman as follows:

A. Mayor. The mayor shall receive a salary of \$65,000.00 per year.

B. Aldermen. Aldermen shall receive a salary of \$12,000.00 per year.

Additionally, the city shall make available up to \$1500.00 per year to each alderman to be use solely for training, i.e., attendance at seminars, meetings, courses, and conferences that will enhance their ability to fulfill their aldermanic functions. All unused monies shall revert to the general fund at the close of the fiscal year.

C. Clerical Support. The city shall provide clerical help to take minutes at meetings of city council committees and to assist with research, correspondence, notices, etc., directly related to the business of those committees.

Ord. O-18-01 supersedes Ords. O-46-88 and O-63-84, amended, which increased the mayor's salary from that stated in § 4 of the Charter.