



SPONSOR: Sen. Lavelle  
Sens. Hocker, Lawson, Lopez, Richardson, Simpson;  
Reps. Collins, Wilson

DELAWARE STATE SENATE  
149th GENERAL ASSEMBLY

SENATE BILL NO. 142

AN ACT TO AMEND TITLE 10 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE  
COMPENSATION COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 3301, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
2 insertions as shown by underline as follows:

3 ~~§ 3301. Established; composition; qualifications; terms of office.~~

4 ~~There is established a commission known as the "Delaware Compensation Commission," hereinafter referred to as~~  
5 ~~the "Commission," consisting of 6 members, 2 of whom shall be appointed by the Governor, 1 by the President Pro~~  
6 ~~Tempore of the Senate and 1 by the Speaker of the House of Representatives. The fifth member shall be the President of the~~  
7 ~~Delaware Round Table. The Director of the Office of Management and Budget of the State shall serve as an ex officio and~~  
8 ~~nonvoting member of the Commission. The appointees shall be persons not holding any public office nor employed~~  
9 ~~substantially full-time with compensation by this State while serving on this Commission. Those appointed shall serve for a~~  
10 ~~6 year term. Any member is eligible for reappointment.~~

11 Section 2. Amend § 3302, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
12 insertions as shown by underline as follows:

13 ~~§ 3302. Chairperson; expenses.~~

14 ~~The Commission shall elect 1 of its members chairperson. Members of the Commission shall be reimbursed for~~  
15 ~~actual and necessary expenses, including mileage, incurred while performing the duties imposed by this chapter. The costs~~  
16 ~~and expenses of the Commission shall be paid out of funds appropriated to the Governor's office.~~

17 Section 3. Amend § 3303, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
18 insertions as shown by underline as follows:

19 ~~§ 3303. Remuneration study; report.~~

20 ~~(a) The Commission shall make a study of the salaries, emoluments, mileage, per diem, travel and other expense~~  
21 ~~allowances and reimbursements (hereinafter collectively referred to as "remuneration") of the members of the General~~  
22 ~~Assembly, the Governor, members of the Governor's cabinet, the Lieutenant Governor, the State Auditor, the State~~

23 Treasurer, the Attorney General, the Insurance Commissioner, the Justices of the Supreme Court, the Chancellor and Vice-  
24 Chancellors of the Court of Chancery and all judges and court commissioners of the Superior Court, the Court of Common  
25 Pleas and the Family Court, the Chief Magistrate, the justices of the peace and the Chief Defender.

26 ~~(b) On January 1, 1985, the Commission shall submit to the Governor, the Chief Justice, the President Pro~~  
27 ~~Tempore of the Senate and the Speaker of the House of Representatives its first report establishing such remuneration.~~  
28 ~~Thereafter, the Commission shall cause a report to be prepared every 4 years and submitted on the first day of the session of~~  
29 ~~the General Assembly. The rate of remuneration established in the report for offices which salaries are more than \$25,000,~~  
30 ~~except for the Governor shall not exceed 120% of the remuneration received in the fiscal year in which the report is~~  
31 ~~submitted. All departments and divisions of the State shall cooperate in furnishing to the Commission such information as~~  
32 ~~the Commission may deem to be necessary to discharge its duties. With each report, the Commission shall include its~~  
33 ~~recommendations to the Governor and General Assembly concerning pension benefits for members of the General~~  
34 ~~Assembly, subject to the approval of the Board of Pension Trustees that such recommendations are based on reasonable~~  
35 ~~actuarial assumptions and that such recommendations shall not require any additional state appropriation.~~

36 Section 4. Amend § 3304, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
37 insertions as shown by underline as follows:

38 ~~§ 3304. Effect of Commission report.~~

39 ~~The remuneration for all offices specified in § 3303 of this title established by the report shall take effect and have~~  
40 ~~the force and effect of law as of July 1 following submission, unless the General Assembly shall by joint resolution reject~~  
41 ~~the report in its entirety within 30 days following the commencement of its session.~~

42 Section 5. Amend § 2703, Title 29 of the Delaware Code by making deletions as shown by strikethrough and  
43 insertions as shown by underline as follows:

44 ~~§ 2703. Salary.~~

45 ~~The annual salary of the State Treasurer shall be set through the recommendation of the Delaware Compensation~~  
46 ~~Commission (Chapter 33 of this title) and the line item appropriations of the General Assembly provided by law .~~

47 Section 6. Amend § 2301, Title 10 of the Delaware Code by making deletions as shown by strikethrough and  
48 insertions as shown by underline as follows:

49 ~~§ 2301. Compensation.~~

50 ~~The salaries of the prothonotaries in each county shall be established in accordance with Chapter 33 of Title 29~~  
51 ~~be provided by law .~~

SYNOPSIS

This Act eliminates the Delaware Compensation Commission in its entirety and makes necessary changes to the Delaware Code as a result.

Author: Senator Lavelle