

# SENATE BILL 2

P4

(71r0803)

## **ENROLLED BILL**

— Finance / Appropriations —

Introduced by **Senators Middleton, Miller, Currie, Astle, Britt, Conway, DeGrange, Dyson, Forehand, Frosh, Garagiola, Gladden, Hogan, Jones, Kasemeyer, Kelley, Kramer, Lenett, Madaleno, McFadden, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Employees' Rights and Protections Act of 2007**

3 FOR the purpose of requiring the Secretary of Budget and Management to designate  
4 certain positions in State government as special appointment positions based on  
5 certain criteria; requiring the Secretary to provide certain information on  
6 special appointments; providing that certain personnel actions regarding  
7 certain special appointments in State government be made under certain  
8 circumstances; providing a certain exception; providing that certain special

---

### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber / conference committee amendments.*



1 appointment positions may be filled with regard to certain criteria; extending  
 2 current provisions to require special appointees in the skilled, professional, and  
 3 management services to be given a certain written job description and an  
 4 annual performance evaluation; ~~clarifying that certain disciplinary appeals by~~  
 5 ~~certain employees may only be based on the grounds that an action is arbitrary~~  
 6 ~~or capricious;~~ clarifying that only employees in the executive or management  
 7 services or under a special appointment in the State Personnel Management  
 8 System may be terminated for any reason that is not illegal or unconstitutional,  
 9 solely within the discretion of the employee's appointing authority; providing  
 10 that certain employees may not be terminated under certain circumstances;  
 11 ~~providing that terminated management service employees be given the reason~~  
 12 ~~for a termination in writing; allowing a court to allow certain fees and costs as a~~  
 13 ~~result of an action by certain employees;~~ requiring the Secretary of  
 14 Transportation to designate certain positions in the Human Resources  
 15 Management System that must be filled without regard to certain criteria and  
 16 that may be filled with regard to certain criteria; requiring the Secretary of  
 17 Transportation to report certain information to the Governor and the General  
 18 Assembly on an annual basis; requiring the Department of Legislative Services,  
 19 with assistance from the Department of Budget and Management, *the*  
 20 *Department of Transportation,* and certain labor organizations, to undertake a  
 21 review of the current State Personnel Management System and other State  
 22 laws, and the extent to which changes to the laws may be needed particularly  
 23 with respect to at-will and special appointment positions; requiring the  
 24 Secretary of Budget and Management to develop certain processes through  
 25 regulation for notifying certain employees of a certain status; requiring the  
 26 Chancellor of the University System of Maryland and the Presidents of Morgan  
 27 State University, St. Mary's College of Maryland, and Baltimore City  
 28 Community College to identify certain nonmerit and at-will positions in certain  
 29 personnel systems and report certain information to the Governor and the  
 30 General Assembly on an annual basis; and generally relating to State personnel  
 31 in the Executive Branch of State government.

32 BY repealing and reenacting, without amendments,  
 33 Article – State Personnel and Pensions  
 34 Section 1-101(c) and 11-113  
 35 Annotated Code of Maryland  
 36 (2004 Replacement Volume and 2006 Supplement)

37 BY repealing and reenacting, with amendments,  
 38 Article – State Personnel and Pensions  
 39 Section 4-201, 4-302, 5-208, 6-405, 7-102, 7-501, ~~11-113~~, and 11-305  
 40 Annotated Code of Maryland  
 41 (2004 Replacement Volume and 2006 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article – Transportation  
3 Section 2–103.4(b)  
4 Annotated Code of Maryland  
5 (2001 Replacement Volume and 2006 Supplement)

6 Preamble

7 WHEREAS, The State personnel system has been in existence since 1920 and,  
8 between 1920 and 1995, had been operating with minor changes but was considered to  
9 be rigid, inflexible, centralized, and overly bureaucratic; and

10 WHEREAS, In 1995, the Task Force to Reform the State Personnel  
11 Management System was assigned the task of reforming the State personnel system  
12 and reported its findings and recommendations to the Governor in January 1996; and

13 WHEREAS, The State enacted the “State Personnel Management Reform Act of  
14 1996” to establish a decentralized personnel management system in which State  
15 departments and agencies were given significant responsibility over the management  
16 of their workforce; and

17 WHEREAS, Personnel reform eliminated the classified and unclassified  
18 services and established the skilled, professional, management, and executive services;  
19 and

20 WHEREAS, The unclassified service consisted mostly of “at–will” employees,  
21 and after 1996, most of these at–will employees were placed in the management or  
22 executive services or were identified as “special appointments” in the State Personnel  
23 Management System; and

24 WHEREAS, The intent of the General Assembly with the enactment of the 1996  
25 personnel reform law was not to create a higher number of at–will employees; and

26 WHEREAS, The General Assembly recognizes that an effective State personnel  
27 system is essential for effective provision of State services and that most State  
28 employees should not be concerned over job security because of political changes or  
29 inappropriate management practices; and

30 WHEREAS, The General Assembly established the Special Committee on State  
31 Employee Rights and Protections in August 2005 to examine whether Maryland law  
32 provides sufficient protections for State employees, particularly at–will employees,  
33 against involuntary separations for illegal and unconstitutional reasons; and

1 WHEREAS, The Special Committee on State Employee Rights and Protections  
 2 completed its work in October 2006 with several recommendations to alter the laws  
 3 governing at-will State employment, now, therefore,

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article – State Personnel and Pensions**

7 1–101.

8 (c) “Class” means a category of one or more similar positions, as established  
 9 by the Secretary in accordance with this article.

10 4–201.

11 (a) ~~[This] EXCEPT AS PROVIDED IN SUBSECTION (C)(2) OF THIS~~  
 12 ~~SECTION, THIS~~ section does not apply to those units of State government with an  
 13 independent personnel system.

14 (b) In the State Personnel Management System the Secretary shall:

15 (1) establish classes;

16 (2) assign a rate of pay to each class;

17 (3) ensure that each class comprises one or more positions:

18 (i) that are similar in their duties and responsibilities;

19 (ii) that are similar in the general qualifications required to  
 20 perform those duties and responsibilities;

21 (iii) to which the same standards and, if required, tests of fitness  
 22 can be applied; and

23 (iv) to which the same rates of pay can be applied;

24 (4) give each class a descriptive classification title;

25 (5) prepare a description of each class; and

- 1           (6)   (i)    create additional classes; and  
 2                   (ii)   abolish, combine, or modify existing classes.

3           (c)    The Secretary shall:

4                   (1)   assign a class to the skilled service, professional service,  
 5 management service, or executive service, as appropriate; and

6                   (2)   designate **SPECIAL APPOINTMENT** positions [that are filled by  
 7 special appointment] **IN THE STATE PERSONNEL MANAGEMENT SYSTEM OR**  
 8 **~~COMPARABLE POSITIONS IN AN INDEPENDENT PERSONNEL SYSTEM IN THE~~**  
 9 **~~EXECUTIVE BRANCH OF STATE GOVERNMENT THAT:~~**

10                           **(I)   MUST BE FILLED WITHOUT REGARD TO POLITICAL**  
 11 **AFFILIATION, BELIEF, OR OPINION; OR**

12                           **(II)   IN ACCORDANCE WITH ~~THE PREVAILING CASE LAW OF~~**  
 13 **~~THE UNITED STATES SUPREME COURT § 6-405(B) OF THIS ARTICLE, MAY BE~~**  
 14 **FILLED WITH REGARD TO POLITICAL AFFILIATION, BELIEF, OR OPINION.**

15 4-302.

16           (a)    The Secretary shall submit to the Governor and, subject to § 2-1246 of  
 17 the State Government Article, to the General Assembly an annual report for each  
 18 fiscal year that:

19                   (1)   provides information about the various personnel areas under the  
 20 Secretary's jurisdiction, including:

21                           (i)    employee performance and efficiency;

22                           (ii)   use of leave by State employees;

23                           (iii)   incentive awards;

24                           (iv)   whistleblower proceedings;

25                           (v)   each denial of a pay increase, each disciplinary suspension,  
 26 each grievance, each involuntary demotion, and each rejection on probation; and

1 (vi) a summary of the equal employment opportunity report  
2 required under § 5-204 of this article, including hiring, firing, promotions,  
3 terminations, and rejections on probation, by race, sex, and age;

4 (2) provides statistics and rankings that compare minority group State  
5 employees to all State employees in all job categories;

6 (3) provides information about part-time work and, in the Secretary's  
7 discretion, alternate work schedules, work days, and work locations; [and]

8 **(4) PROVIDES INFORMATION ON THE TOTAL NUMBER OF**  
9 **POSITIONS DESIGNATED AS SPECIAL APPOINTMENTS, INCLUDING SPECIAL**  
10 **APPOINTMENTS DESIGNATED WITH REGARD TO POLITICAL AFFILIATION,**  
11 **BELIEF, OR OPINION; AND**

12 ~~[(4)]~~ **(5)** makes any recommendations about conditions in State  
13 employment that the Secretary considers advisable.

14 (b) The report required by this section shall be submitted on or before  
15 January 1 following the fiscal year to which it applies.

16 5-208.

17 (a) All personnel actions concerning an employee in the Executive Branch of  
18 State government shall be made in accordance with § 2-302 of this article.

19 (b) [Except for special appointments or applicants for special appointment,  
20 personnel] **PERSONNEL** actions concerning an employee or applicant for employment  
21 in the skilled service or professional service of the State Personnel Management  
22 System or comparable position in an independent personnel system in the Executive  
23 Branch of State government shall also be made without regard to:

24 (1) political affiliation, belief, or opinion; or

25 (2) any other nonmerit factor.

26 (c) All personnel actions concerning an employee or applicant in the  
27 management service shall also be made without regard to the employee's political  
28 affiliation, belief, or opinion, ~~OR ANY OTHER NONMERIT FACTOR.~~

29 **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
30 **SUBSECTION, PERSONNEL ACTIONS CONCERNING SPECIAL APPOINTMENTS OR**

1 APPLICANTS FOR SPECIAL APPOINTMENT IN THE STATE PERSONNEL  
 2 MANAGEMENT SYSTEM OR COMPARABLE POSITIONS IN AN INDEPENDENT  
 3 PERSONNEL SYSTEM IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT  
 4 SHALL BE MADE WITHOUT REGARD TO:

5 ~~(I) POLITICAL AFFILIATION, BELIEF, OR OPINION; OR~~

6 ~~(II) ANY OTHER NONMERIT FACTOR.~~

7 (2) FOR THE POSITIONS THAT ARE DESIGNATED BY THE  
 8 SECRETARY UNDER § 4-201(C)(2)(II) OF THIS ARTICLE ~~AND OR~~ BY THE  
 9 SECRETARY OF TRANSPORTATION UNDER § 2-103.4(B)(2) OF THE  
 10 TRANSPORTATION ARTICLE, PERSONNEL ACTIONS CONCERNING SPECIAL  
 11 APPOINTMENTS OR APPLICANTS FOR SPECIAL APPOINTMENT IN THE STATE  
 12 PERSONNEL MANAGEMENT SYSTEM OR COMPARABLE POSITIONS IN AN  
 13 INDEPENDENT PERSONNEL SYSTEM IN THE EXECUTIVE BRANCH OF STATE  
 14 GOVERNMENT MAY BE MADE WITH REGARD TO POLITICAL AFFILIATION, BELIEF,  
 15 OR OPINION.

16 [(d)] (E) The protections of this section are in addition to whatever legal or  
 17 constitutional protections an employee or applicant has.

18 6-405.

19 (A) Except as otherwise provided by law, individuals in the following  
 20 positions in the skilled service, professional service, management service, or executive  
 21 service are considered special appointments:

22 (1) a position to which an individual is directly appointed by the  
 23 Governor by an appointment that is not provided for by the Maryland Constitution;

24 (2) a position to which an individual is directly appointed by the Board  
 25 of Public Works;

26 (3) as determined by the Secretary, a position which performs a  
 27 significant policy role or provides direct support to a member of the executive service;

28 (4) a position that is assigned to the Government House;

29 (5) a position that is assigned to the Governor's Office; and

1           (6) any other position that is specified by law to be a special  
2 appointment.

3           **(B) A POSITION THAT IS A SPECIAL APPOINTMENT MAY BE FILLED WITH**  
4 **REGARD TO POLITICAL AFFILIATION, BELIEF, OR OPINION IF THE SECRETARY**  
5 **DETERMINES THAT THE POSITION:**

6           **(1) RELATES TO POLITICAL INTERESTS OR CONCERNS SO AS TO**  
7 **WARRANT THAT POLITICAL AFFILIATION BE A REQUIREMENT FOR THE**  
8 **POSITION; AND**

9           **(2) (I) REQUIRES THE PROVISION OF MEANINGFUL DIRECT OR**  
10 **INDIRECT INPUT INTO THE POLICY-MAKING PROCESS; OR**

11           **(II) PROVIDES ACCESS TO CONFIDENTIAL INFORMATION**  
12 **AND:**

13                           **1. REQUIRES SUBSTANTIAL INTERVENTION OR**  
14 **COLLABORATION IN THE FORMULATION OF PUBLIC POLICY; OR**

15                           **2. REQUIRES THE PROVISION OF DIRECT ADVICE OR**  
16 **THE RENDERING OF DIRECT SERVICES TO AN APPOINTING AUTHORITY.**

17 7-102.

18           (a) (1) Each employee in the skilled service, professional service, and  
19 management service, **INCLUDING SPECIAL APPOINTMENTS IN EACH**  
20 **CLASSIFICATION OF EACH OF THOSE SERVICES**, shall be provided with a written  
21 position description which describes the essential duties and responsibilities the  
22 employee is expected to perform and the standards for satisfactory performance on a  
23 form approved by the Secretary.

24           (2) A successful applicant for a position in the skilled service,  
25 professional service, or management service shall be provided with a position  
26 description for review before accepting appointment to the position.

27           (b) The appointing authority or designee shall approve position descriptions  
28 and revised position descriptions for the positions in the unit.

29           (c) (1) A supervisor shall:

1 (i) ensure the preparation of a position description for each  
2 position over which the supervisor has primary direct responsibility;

3 (ii) maintain position descriptions for the positions under the  
4 supervisor's jurisdiction; and

5 (iii) give each supervised employee a copy of the position  
6 description for the employee's position.

7 (2) The supervisor and employee shall review the position description  
8 for the employee's position and make any necessary revision:

9 (i) whenever there is a change in the essential functions of the  
10 position; and

11 (ii) as part of the employee's performance appraisal.

12 (3) When there is no position description for a new or vacant position,  
13 the primary direct supervisor of the position shall:

14 (i) prepare a position description for the position; and

15 (ii) submit it as part of the selection plan to fill the position.

16 (d) A position description shall contain information required by the  
17 Secretary, including a description of the essential functions of the position.

18 (e) (1) The duties and responsibilities assigned to a position shall be  
19 consistent with the duties and responsibilities for the position's assigned class.

20 (2) An employee may grieve the assignment of duties and  
21 responsibilities only if those assigned duties and responsibilities clearly are applicable  
22 to a different class.

23 7-501.

24 (a) The performance of each employee in the skilled service, professional  
25 service, and management service, **INCLUDING SPECIAL APPOINTMENTS IN EACH**  
26 **CLASSIFICATION OF EACH OF THOSE SERVICES**, shall be evaluated in accordance  
27 with this subtitle.

1 (b) The appointing authority shall ensure that each of the unit's employees  
2 who is subject to this subtitle has performance evaluations in accordance with this  
3 subtitle and procedures established by the Secretary.

4 (c) Each supervisor of an employee subject to this subtitle shall attend  
5 mandatory training by the Department on the methods and procedures required in the  
6 performance appraisal process.

7 (d) Factors in evaluating a manager's or supervisor's performance shall  
8 include:

9 (1) attendance at any required performance appraisal training;

10 (2) adherence to established methods and procedures in conducting  
11 performance appraisals;

12 (3) the timely completion of performance appraisals for employees  
13 assigned to the supervisor; and

14 (4) except as provided in subsection (e) of this section, the results of an  
15 anonymous survey of employees assigned to the supervisor in accordance with  
16 procedures established by the Secretary.

17 (e) The anonymous survey requirement under subsection (d)(4) of this  
18 section shall not be a factor in evaluating a manager's or supervisor's performance if  
19 fewer than five employees are assigned to the manager or supervisor.

20 11-113.

21 (a) This section only applies to an employee:

22 (1) in the management service;

23 (2) in executive service; or

24 (3) under a special appointment described in § 6-405 of this article.

25 (b) (1) An employee or an employee's representative may file a written  
26 appeal of a disciplinary action with the head of the principal unit.

27 (2) An appeal:

1 (i) must be filed within 15 days after the employee receives  
2 notice of the disciplinary action; and

3 (ii) may only be based on the grounds that the disciplinary  
4 action is ~~ARBITRARY, CAPRICIOUS,~~ illegal, or unconstitutional.

5 (3) The employee has the burden of proof in an appeal under this  
6 section.

7 (c) The head of the principal unit may confer with the employee before  
8 making a decision.

9 (d) (1) The head of the principal unit may:

10 (i) uphold the disciplinary action; or

11 (ii) rescind or modify the disciplinary action and restore to the  
12 employee any lost time, compensation, status, or benefits.

13 (2) Within 15 days after receiving an appeal, the head of the principal  
14 unit shall issue the employee a written decision.

15 (3) The decision of the head of the principal unit is the final  
16 administrative decision.

17 (e) Within 15 days after issuance of a decision to rescind a disciplinary  
18 action, the disciplinary action shall be expunged from the employee's personnel  
19 records.

20 11-305.

21 (a) This section only applies to an employee who is in a position:

22 (1) under a special appointment;

23 (2) in the management service; or

24 (3) in the executive service.

25 (b) Each employee subject to this section:

26 (1) serves at the pleasure of the employee's appointing authority; and

1 (2) may be terminated from employment for any reason **THAT IS NOT**  
 2 **ILLEGAL OR UNCONSTITUTIONAL**, solely in the discretion of the appointing  
 3 authority.

4 (C) **A MANAGEMENT SERVICE EMPLOYEE OR A SPECIAL APPOINTMENT**  
 5 **EMPLOYEE DESIGNATED BY THE SECRETARY UNDER § 4-201(C)(2)(I) OF THIS**  
 6 **ARTICLE MAY NOT BE TERMINATED FOR THE PURPOSE OF CREATING A NEW**  
 7 **POSITION FOR ANOTHER INDIVIDUAL'S APPOINTMENT BECAUSE OF THAT**  
 8 **INDIVIDUAL'S POLITICAL AFFILIATION, BELIEF, OR OPINION.**

9 ~~(D) A MANAGEMENT SERVICE EMPLOYEE OR A SPECIAL APPOINTMENT~~  
 10 ~~EMPLOYEE WHO IS TERMINATED UNDER SUBSECTION (B) OF THIS SECTION~~  
 11 ~~SHALL BE GIVEN, IN WRITING, THE REASONS FOR THE TERMINATION BY THE~~  
 12 ~~EMPLOYEE'S APPOINTING AUTHORITY.~~

13 [(c)] ~~(E)~~ (D) An employee or an employee's representative may file a written  
 14 appeal of an employment termination under this section as described under § 11-113  
 15 of this title.

16 ~~(F) AN EMPLOYEE SUBJECT TO THIS SECTION MAY INITIATE A CAUSE~~  
 17 ~~OF ACTION BASED ON THE EMPLOYEE'S TERMINATION WITHOUT FIRST~~  
 18 ~~EXHAUSTING THE EMPLOYEE'S ADMINISTRATIVE REMEDIES.~~

19 ~~(G) IF A COURT DETERMINES THAT AN EMPLOYEE IS ENTITLED TO~~  
 20 ~~JUDGMENT IN AN ACTION, THE COURT SHALL ALLOW THE EMPLOYEE~~  
 21 ~~REASONABLE COUNSEL FEES AND OTHER COSTS OF THE ACTION.~~

## 22 Article - Transportation

23 2-103.4.

24 (b) (1) In the exercise of the Secretary's powers under this section, the  
 25 Secretary may:

26 [(1)] (I) Create and abolish any position other than positions  
 27 specifically provided for in this article; and

28 [(2)] (II) Determine the qualifications, appointment, removal, tenure,  
 29 terms of employment, and compensation of employees unless otherwise prohibited by  
 30 law.

1           **(2) THE SECRETARY SHALL DESIGNATE EXECUTIVE SERVICE**  
2 **EMPLOYEE AND COMMISSION PLAN EMPLOYEE POSITIONS IN THE HUMAN**  
3 **RESOURCES MANAGEMENT SYSTEM THAT:**

4                   **(I) MUST BE FILLED WITHOUT REGARD TO POLITICAL**  
5 **AFFILIATION, BELIEF, OR OPINION; OR**

6                   **(II) IN ACCORDANCE WITH THE CRITERIA ESTABLISHED**  
7 **UNDER § 6-405(B) OF THE STATE PERSONNEL AND PENSIONS ARTICLE, MAY BE**  
8 **FILLED WITH REGARD TO POLITICAL AFFILIATION, BELIEF, OR OPINION.**

9           **(3) ON AN ANNUAL BASIS, THE SECRETARY SHALL REPORT ON**  
10 **THE TOTAL NUMBER OF POSITIONS DESIGNATED UNDER PARAGRAPH (2) OF**  
11 **THIS SUBSECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF**  
12 **THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That:

14           (a) The Department of Legislative Services, with the assistance of the  
15 Department of Budget and Management, *the Department of Transportation*, and labor  
16 organizations that represent State employees, shall review the State Personnel  
17 Management System law and regulations and other relevant State laws and  
18 regulations, including the Department of Transportation's Human Resources  
19 Management System, to determine:

20                   (1) the number of at-will employees, special appointments, and  
21 management service employees in the Executive Branch agencies of State government;

22                   (2) the rationale for designating the majority of, or all, employees in  
23 an agency as at-will employees; and

24                   (3) the possibility of providing additional merit system protections to  
25 management service employees up to a certain grade level or depending on the job  
26 description of the employee.

27           (b) The Department of Legislative Services shall make recommendations as  
28 to appropriate and effective legislative and administrative changes in the State's  
29 personnel systems that will help strike a better balance between the need to provide  
30 flexibility in hiring and terminating employees and maintaining the dignity, worth,  
31 and morale of the State's workforce.

1 (c) On or before ~~December 31, 2007~~ December 1, 2008, the Department of  
 2 Legislative Services shall report its findings and recommendations to the President of  
 3 the Senate and the Speaker of the House of Delegates.

4 SECTION 3. AND BE IT FURTHER ENACTED, That the Secretary of the  
 5 Department of Budget and Management shall develop processes through regulation  
 6 that provide that all new employees, including at-will employees, receive written  
 7 notification of their position and classification, and that all employees *in the State*  
 8 *Personnel Management System and in the Department of Transportation*, including  
 9 at-will employees, be ~~periodically~~ notified at 6-month intervals in writing of their  
 10 employment status in State government, including any changes in the employment  
 11 classification of an employee and the employee rights associated with the position and  
 12 classification.

13 SECTION 4. AND BE IT FURTHER ENACTED, That:

14 (a) The Chancellor of the University System of Maryland and the Presidents  
 15 of Morgan State University, St. Mary's College of Maryland, and Baltimore City  
 16 Community College shall identify all nonmerit and at-will positions in the personnel  
 17 systems of the University System of Maryland and its constituent institutions, Morgan  
 18 State University, St. Mary's College of Maryland, and Baltimore City Community  
 19 College.

20 (b) On an annual basis, the Chancellor of the University System of Maryland  
 21 and the Presidents of Morgan State University, St. Mary's College of Maryland, and  
 22 Baltimore City Community College shall report the information on nonmerit and  
 23 at-will positions required under subsection (a) of this section to the Governor and, in  
 24 accordance with § 2-1246 of the State Government Article, to the General Assembly.

25 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take  
 26 effect June 1, 2007.

Approved:

---

Governor.

---

President of the Senate.

---

Speaker of the House of Delegates.