

SENATE BILL 687

F5, F1, E4

1lr2474

By: **Senator Peters**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Militia – Employment for Military Spouses – Teachers, Health Care**
3 **Practitioners, and Business Occupations and Professions**

4 FOR the purpose of requiring the Adjutant General or the Adjutant General's designee
5 to assist certain military spouses in finding certain employment under certain
6 circumstances; requiring certain teachers to be granted tenure under certain
7 circumstances; and generally relating to employment for military spouses.

8 BY adding to
9 Article – Education
10 Section 6–201.1
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2010 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Education
15 Section 6–202(b)(1)
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2010 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 6–202(b)(3)
21 Annotated Code of Maryland
22 (2008 Replacement Volume and 2010 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Public Safety
25 Section 13–302
26 Annotated Code of Maryland
27 (2003 Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Education

6–201.1.

THE DEPARTMENT SHALL:

(1) DEVELOP AN INFORMATIONAL FORM THAT LISTS AND EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER TO OBTAIN CERTIFICATION AND TENURE IN THE STATE; AND

(2) POST THE FORM ON ITS WEB SITE.

6–202.

(b) (1) Except as provided in paragraph (3) of this subsection, the probationary period of employment of a certificated employee in a local school system shall cover a period of 3 years from the date of employment and shall consist of a 1–year employment contract that may be renewed by the county board.

(3) (i) Subject to subparagraph (ii) of this paragraph, if a certificated employee has achieved tenure in a local school system in the State and moves to another local school system in the State, **OR AN INDIVIDUAL WHO HAS ACHIEVED TENURE OR AN EQUIVALENT LEVEL OF CERTIFICATION OR LICENSURE IN AN OUT-OF-STATE JURISDICTION AND MOVES TO A JURISDICTION IN THE STATE**, that employee **OR INDIVIDUAL** shall be tenured if the employee's **OR INDIVIDUAL'S** contract is renewed after 1 year of probationary employment in the local school system to which the employee **OR INDIVIDUAL** relocated if:

1. The employee's **OR INDIVIDUAL'S** final evaluation in the local school system **OR OUT-OF-STATE JURISDICTION** from which the employee **OR INDIVIDUAL** departed is satisfactory or better; and

2. There has been no break in the employee's **OR INDIVIDUAL'S** service between the two systems of longer than 1 year.

(ii) A local school system may extend the probationary period for a certificated employee **OR INDIVIDUAL** subject to subparagraph (i) of this paragraph for a second year from the date of employment if:

1 1. The employee **OR INDIVIDUAL** does not qualify for
2 tenure at the end of the first year based on established performance evaluation
3 criteria; and

4 2. The employee **OR INDIVIDUAL** demonstrates a strong
5 potential for improvement.

6 **Article – Public Safety**

7 13–302.

8 (a) (1) The Adjutant General may appoint:

9 (i) a chief of State operations;

10 (ii) an executive officer;

11 (iii) an administrative officer;

12 (iv) the directors of military installations, procurement, military
13 support to civil authorities, State personnel, finance, and veterans affairs;

14 (v) the site managers for military reservations; and

15 (vi) a grants administrator.

16 (2) The executive officer and directors appointed under paragraph (1)
17 of this subsection serve at the pleasure of the Adjutant General.

18 (b) (1) The Adjutant General shall keep all records required to be kept
19 and filed with the Adjutant General's office.

20 (2) On or before each October 15, the Adjutant General shall submit to
21 the Governor a detailed statement of all the receipts and expenditures for military
22 purposes during the year ending the previous September 30.

23 **(C) (1) ON REQUEST, THE ADJUTANT GENERAL OR THE ADJUTANT**
24 **GENERAL'S DESIGNEE SHALL ASSIST THE SPOUSE OF A MEMBER OF THE**
25 **MILITARY WHO RESIDES IN THE STATE OR IS TRANSFERRED TO THE STATE IN**
26 **FINDING EMPLOYMENT IN THE STATE.**

27 **(2) THE ASSISTANCE PROVIDED UNDER PARAGRAPH (1) OF THIS**
28 **SUBSECTION MAY INCLUDE PROVIDING:**

29 **(I) THE INFORMATIONAL FORM DEVELOPED BY THE STATE**
30 **DEPARTMENT OF EDUCATION UNDER § 6–201.1 OF THE EDUCATION ARTICLE;**

1 **(II) INFORMATION RELATING TO HEALTH OCCUPATIONS IN**
2 **THE STATE THAT PERMIT LICENSURE BY ENDORSEMENT; AND**

3 **(III) INFORMATION RELATING TO BUSINESS OCCUPATIONS**
4 **IN THE STATE THAT PERMIT LICENSURE BY ENDORSEMENT.**

5 **[(c)] (D)** (1) The Adjutant General is responsible for:

6 (i) each armory that the State owns; and

7 (ii) each building or other property purchased, occupied, or
8 leased by or on behalf of the State military forces.

9 (2) If the Adjutant General rejects an application to use an armory for
10 nonmilitary purposes, the application is subject to review and approval by the Board of
11 Public Works, the Adjutant General, and the commanding officer of the unit occupying
12 that armory.

13 (3) The Adjutant General may adopt regulations to enforce this
14 subsection.

15 **[(d)] (E)** The Adjutant General is the custodian of battle flags and war
16 records and is responsible for their proper care and preservation.

17 **[(e)] (F)** The Adjutant General may employ employees as required.

18 **[(f)] (G)** The Adjutant General shall carry out the Governor's policies
19 concerning matters specified in this title and Title 14, Subtitles 1, 2, and 4 of this
20 article.

21 **[(g)] (H)** The seal of the Adjutant General's office shall be delivered by the
22 Adjutant General to the Adjutant General's successor.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2011.