

**HB1292/264960/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1292  
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 1, after “understanding;” insert “providing that the Judiciary has the right to determine certain budgetary, employment, and personnel practices; providing that certain provisions of this Act and a certain agreement do not limit or otherwise interfere with certain powers of the Governor, the Judiciary, or the General Assembly;”.

AMENDMENT NO. 2

On page 2, in line 29, strike “**GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE**” and substitute “**CHIEF JUDGE OF THE COURT OF APPEALS FROM A LIST OF CANDIDATES RECOMMENDED BY THE GOVERNOR**”.

On page 3, in line 6, strike “**OR WHO IS**” and substitute “**APPOINTED BY THE CHIEF JUDGE OF THE COURT OF APPEALS, WHO:**

**1. IS**”;

in line 7, strike “, **WITH**” and substitute “**; AND**

**2. HAS**”;

and in line 8, strike “, **APPOINTED BY THE GOVERNOR**”.

On page 7, in line 10, strike “**§§ 3-302, 3-304, AND 3-305(A)**” and substitute “**§§ 3-304 AND 3-305(A)**”.

(Over)

On page 9, after line 17, insert:

“(K) THE JUDICIARY, THROUGH ITS APPROPRIATE OFFICERS AND EMPLOYEES, HAS THE RIGHT TO:

(1) (I) DETERMINE THE MISSION, BUDGET, ORGANIZATION, NUMBERS, TYPES AND GRADES OF EMPLOYEES ASSIGNED, THE WORK PROJECTS, TOURS OF DUTY, METHODS, MEANS, AND PERSONNEL BY WHICH ITS OPERATIONS ARE TO BE CONDUCTED, TECHNOLOGY NEEDED, INTERNAL SECURITY PRACTICES, AND RELOCATION OF ITS FACILITIES; AND

(II) MAINTAIN AND IMPROVE THE EFFICIENCY AND EFFECTIVENESS OF JUDICIAL OPERATIONS;

(2) DETERMINE THE:

(I) SERVICES TO BE RENDERED, OPERATIONS TO BE PERFORMED, AND TECHNOLOGY TO BE UTILIZED; AND

(II) OVERALL METHODS, PROCESSES, MEANS, AND CLASSES OF WORK OR PERSONNEL BY WHICH JUDICIAL OPERATIONS ARE TO BE CONDUCTED;

(3) HIRE, DIRECT, SUPERVISE, AND ASSIGN EMPLOYEES;

(4) (I) PROMOTE, DEMOTE, DISCIPLINE, DISCHARGE, RETAIN, AND LAY OFF EMPLOYEES; AND

(II) TERMINATE EMPLOYMENT BECAUSE OF LACK OF FUNDS, LACK OF WORK, UNDER CONDITIONS WHERE THE EMPLOYER

DETERMINES CONTINUED WORK WOULD BE INEFFICIENT OR NONPRODUCTIVE, OR FOR OTHER LEGITIMATE REASONS;

(5) SET THE QUALIFICATIONS OF EMPLOYEES FOR APPOINTMENT AND PROMOTION AND SET STANDARDS OF CONDUCT;

(6) PROMULGATE RULES, REGULATIONS, OR PROCEDURES;

(7) PROVIDE A SYSTEM OF MERIT EMPLOYMENT ACCORDING TO THE STANDARD OF BUSINESS EFFICIENCY; AND

(8) TAKE ACTIONS NOT OTHERWISE SPECIFIED IN THIS SECTION TO CARRY OUT THE MISSION OF THE JUDICIARY.

(L) THIS SECTION AND ANY AGREEMENT UNDER THIS SECTION DO NOT LIMIT OR OTHERWISE INTERFERE WITH THE POWERS OF THE GOVERNOR, THE JUDICIARY, OR THE GENERAL ASSEMBLY UNDER ARTICLE III, § 52 OF THE MARYLAND CONSTITUTION.”.