

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1181
Appropriations

(Delegate P. Young, *et al.*)

Finance

State Personnel - Disabled Veterans - Interviews for Noncompetitive
Appointment

This bill authorizes, instead of requires, an appointing authority in the State Personnel Management System (SPMS) or an appointing authority in the Executive Branch that is not in SPMS to interview any disabled veteran who has expressed an interest to the appointing authority in applying for a specified position and who satisfies specified requirements. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: None. The change is procedural in nature and does not directly affect governmental finances, although it creates operational efficiencies by not requiring appointing authorities to interview specified disabled veterans.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 179 of 2017 authorizes an appointing authority in SPMS to select a disabled veteran for a skilled or professional service position on a noncompetitive basis under specified circumstances. An appointing authority in the Executive Branch may select a disabled veteran for a position if (1) the disabled veteran served in any U.S. Armed Forces branch and is included on a U.S. Armed Forces permanent disability list with a disability rating of at least 30% or has been rated by the U.S. Department of Veterans Affairs as having a compensable service-connected disability of at least 30%; (2) the

disabled veteran presents specified documentation certifying the disability; (3) the appointing authority determines that the disabled veteran is qualified for the position; (4) the appointing authority notifies the Secretary of Budget and Management in writing that the position is to be filled by a disabled veteran on a noncompetitive basis; and (5) the disabled veteran does not hold a permanent appointment or have mandatory reinstatement rights to a permanent appointment.

If an appointing authority elects to select a disabled veteran for a vacant position, the appointing authority must interview any disabled veteran who has expressed an interest to the appointing authority in applying for the position and who satisfies specified requirements. If the appointing authority elects to select a disabled veteran for a vacant position, the appointing authority is not required to interview any other qualified applicants, except those disabled veterans who expressed interest in the position. Chapter 179 does not require an appointing authority to select a disabled veteran for a vacant position or prohibit an appointing authority from filling a vacant position on a competitive basis in accordance with the requirements of the law.

Appointing authorities in the Executive Branch that are not in SPMS must develop a comparable selection process for disabled veterans to fill comparable positions to those in the skilled or professional service in SPMS.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): University System of Maryland; Department of Budget and Management; Maryland Department of Transportation; Department of Legislative Services

Fiscal Note History: First Reader - February 27, 2018
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