

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 140
Appropriations

(Delegate Rogers)

State Personnel - Spouses of Active Duty Service Members - Hiring Preferences

This bill requires all appointing authorities in the State Personnel Management System (SPMS) to apply a credit of 10 points on a selection test for an applicant who is the spouse of an active-duty service member of any branch of the uniformed services who is relocating to the State on military orders. For hiring preferences on selection tests, the bill also expands the definition of an eligible veteran to mean a veteran of any branch of the uniformed services, as opposed to a veteran of any branch of the Armed Forces of the United States. In both cases, “uniformed services” is defined by reference to another section of State law, which in turn references the federal law definition.

Fiscal Summary

State Effect: The bill’s requirements can be handled with existing budgeted resources. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: SPMS has four major employment categories designated in statute:

- executive service, which consists of chief administrators of principal units or comparable positions, including deputy secretaries or assistant secretaries;
- management service, which consists of positions that involve direct responsibility for the oversight and management of personnel and financial resources and that require the exercise of discretion and independent judgment;

- professional service, which consists of positions that require advanced knowledge in a field of science or learning and that normally require a professional license, advanced degree, or both; and
- skilled service, which consists of all other positions.

Selection Process

When a skilled service or professional service position within SPMS is to be filled, a unit must prepare a position selection plan that includes, among other requirements, a plan of development of any selection test to be administered to qualified applicants. Job announcements for these positions must also describe the type of selection test to be administered to applicants who meet the position's minimum requirements.

Appointing authorities may use any appropriate selection process to rate qualified applicants, including job relatedness, reliability, and scores on selection tests. Selection tests must be free of charge to applicants and open to all qualified applicants, except to those who falsify information on an application.

Credits may be applied to the results of selection tests for applicants who are otherwise qualified and have at least the minimum passing score on a selection test for:

- current State employees (one-quarter point for each year of State service, up to 5 points);
- veterans of the Armed Forces, spouses of veterans with service-connected disabilities, and surviving spouses of a deceased eligible veteran (10 points, plus 2 points for a former prisoner of war);
- residents of high unemployment counties for specified positions in correctional facilities (5 points);
- State residents (5 points); and
- individuals with a disability (5 points).

Based on all appropriate standards used, the appointing authority must place all candidates in the following categories: (1) best qualified; (2) better qualified; (3) qualified; (4) unsatisfactory; and (5) additional categories related to special circumstances. Generally, candidates are to be listed by random order within each category.

Relevant Federal Definition

Federal law defines "uniformed services" as the Armed Forces; Army and Air National Guards, as specified; the Commissioned Corps of the Public Health Service; the commissioned officer corps of the National Oceanic and Atmospheric Administration;

System members of the National Urban Search and Rescue Response System, as specified; intermittent personnel who are appointed into the Federal Emergency Management Agency service, as specified; and any other category of persons designated by the President of the United States in time of war or national emergency.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

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

Fiscal Note History: First Reader - January 25, 2024
km/mcr

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