
By: **Delegates Poole and McKee**

Introduced and read first time: February 11, 1998

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Contractual Employees - Limitation on Certification**

3 FOR the purpose of prohibiting the Secretary of Budget and Management from
4 continuing the certification of a contractual State employee if continuation of
5 certification would result in the contractual employee remaining in a
6 contractual position for a certain period of time; providing a certain exception;
7 and generally relating to renewals of certification for contractual State
8 employees.

9 BY repealing and reenacting, with amendments,

10 Article - State Personnel and Pensions

11 Section 13-204

12 Annotated Code of Maryland

13 (1997 Replacement Volume)

14 BY repealing and reenacting, without amendments,

15 Article - State Personnel and Pensions

16 Section 13-303

17 Annotated Code of Maryland

18 (1997 Replacement Volume)

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

21 **Article - State Personnel and Pensions**

22 13-204.

23 Except as authorized under § 13-303 of this title, the Secretary may not
24 continue certification for any contractual employee if:

25 (1) the Secretary determines that the services performed under the
26 contract:

27 [(1)] (I) encompass permanent functions;

1 [(2)] (II) have no specific expiration date; and

2 [(3)] (III) regularly are performed on a basis that is at least equal to 50%
3 of the work responsibility of a full-time permanent employee; OR

4 (2) CONTINUATION OF CERTIFICATION WOULD RESULT IN THE
5 CONTRACTUAL EMPLOYEE REMAINING IN A CONTRACTUAL POSITION FOR A PERIOD
6 OF TIME EXCEEDING 3 YEARS.

7 13-303.

8 To enable a contractual employee to participate in any required examination for
9 a budgeted position under this subtitle, the Secretary may certify the continuation of
10 the employee's contract for a maximum period of 1 year after the date on which the
11 budgeted position is created.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 1998.