

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 89

(Chairman, Appropriations Committee)
(Departmental – State Police)

Appropriations

Finance

Department of State Police - Promotion of Sworn Personnel

This departmental bill authorizes the Secretary of the Department of State Police to establish a promotional process for commissioned officers by departmental rule rather than by the requirements of the State Personnel and Pensions Article.

Fiscal Summary

State Effect: None. This bill codifies current practice and would not directly affect governmental finances.

Local Effect: None.

Small Business Effect: The Department of State Police has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: The process for promotion to noncommissioned rank is controlled by the Secretary through rules and regulations as authorized in Article 88B. Guidelines for promotion to a commissioned rank are governed by Title 7 of the State Personnel and Pensions Article.

Background: In 1996 the current department system for promotion applicable to noncommissioned personnel was put into place. This system had been developed in 1995

as an agreement with employee groups to develop promotional processes for all ranks that would be satisfactory to labor and management, and that stayed within guidelines stemming from various court decisions. The process agreed to, and in place for noncommissioned personnel, requires the submission of a resume, completion of a written exam, and an oral interview before a board. The process results in an individual score for each person, and an eligibility ranking by score.

However, the department only recently discovered that commissioned officers were not covered by the new system and that the existing requirements of Title 7 of the State Personnel and Pensions Article still governed promotions of commissioned personnel.

According to the State Police, several requirements placed upon the department for establishing criteria for filling a sworn officer management position mentioned in Title 7 are not applicable to the sworn side of the department and are inconsistent with the 1995 agreement. Under Title 7, there is a general assumption that any management position can be filled with managers from any other agency or from the civilian population to manage personnel at any State agency, including personnel at a law enforcement agency.

Under this bill, the Secretary would continue to use the same process for commissioned personnel that is now in place for noncommissioned personnel.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

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ncs/jr

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