
By: **Chairman, Appropriations Committee (By Request - Departmental - Budget and Management)**

Introduced and read first time: January 29, 2004

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Budget and Management - Central Collection Unit**
3 **Employees - Termination Procedures**

4 FOR the purpose of requiring certain employees of the Department of Budget and
5 Management Central Collection Unit to be special appointments; repealing
6 certain provisions of law that relate to the removal of certain employees of the
7 Central Collection Unit; and generally relating to employees of the Central
8 Collection Unit in the Department of Budget and Management.

9 BY repealing and reenacting, with amendments,
10 Article - State Finance and Procurement
11 Section 3-301
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2003 Supplement)

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

16 **Article - State Finance and Procurement**

17 3-301.

18 (a) There is a Central Collection Unit in the Department.

19 (b) [(1)] All employees [and personnel] of the Central Collection Unit OTHER
20 THAN EMPLOYEES APPOINTED BY THE ATTORNEY GENERAL shall:

21 [(i)] (1) [except for assistant Attorneys General assigned to the
22 Central Collection Unit,] be [in the management service or] special appointments in
23 the State Personnel Management System who are appointed by and serve at the
24 pleasure of the Secretary [and are not subject to Title 11, Subtitle 2 of the State
25 Personnel and Pensions Article]; and

26 [(ii)] (2) receive such compensation as provided in the State
27 budget.

1 [(2) Except for employees in the Executive Pay Plan and any assistant
2 Attorneys General assigned to the Central Collection Unit, a management service or
3 special appointment of the skilled service or the professional service employee of the
4 Central Collection Unit may not be permanently removed except for cause and until
5 written charges have been filed and a hearing has been conducted in accordance with
6 Title 10, Subtitle 2 of the State Government Article. This paragraph does not apply to
7 the removal of a management service or special appointment employee because of a
8 layoff that resulted from:

9 (i) a lack of work; or

10 (ii) the lack of an appropriation.]

11 (c) (1) The Secretary of Budget and Management may establish a
12 performance incentive program to provide pay incentives for employees of the Central
13 Collection Unit.

14 (2) Pay incentives provided to employees under this subsection shall be
15 paid from the Central Collection Fund established under § 3-306 of this subtitle as
16 provided in the State budget.

17 (3) Pay incentives may not be provided under this subsection if:

18 (i) the Central Collection Unit sustains an operating loss for the
19 fiscal year in which the pay incentives were earned; or

20 (ii) funds are not available in the Central Collection Fund to pay
21 the incentives.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2004.