

SENATE BILL 394

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P4

2004 Regular Session  
4r1629  
CF 4r1705

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By: **Senators Harris, Colburn, Dyson, Greenip, Hollinger, Mooney,  
Schrader, and Stone**

Introduced and read first time: February 4, 2004

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **State Employees - Military Administrative Leave - Sunset Extension**

3 FOR the purpose of extending the termination date for the use of military  
4 administrative leave or certain paid leave for certain State employees who are  
5 on active military duty on a certain date or are activated for military duty on or  
6 after a certain date; and generally relating to military administrative leave for  
7 State employees.

8 BY repealing and reenacting, without amendments,  
9 Article - State Personnel and Pensions  
10 Section 9-1107  
11 Annotated Code of Maryland  
12 (1997 Replacement Volume and 2003 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Chapter 389 of the Acts of the General Assembly of 2003  
15 Section 2

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

18 **Article - State Personnel and Pensions**

19 9-1107.

20 (a) This section applies to all employees, except temporary employees, of all  
21 units in the Executive, Judicial, and Legislative Branches of State government,  
22 including any unit with an independent personnel system.

23 (b) Military administrative leave may be provided to an employee subject to  
24 this section who:

25 (1) is on active military duty on July 1, 2003; or

1           (2)       is activated for military duty on or after July 1, 2003.

2       (c)       (1)       An employee who is eligible to receive military administrative leave  
3 under this section is entitled to leave in an amount sufficient to compensate the  
4 employee, during each pay period for which the employee is eligible to receive military  
5 administrative leave under this section, for the difference between the employee's  
6 active duty base salary paid by the federal government and the employee's State base  
7 salary or direct wages.

8           (2)       Compensation provided under this subsection may not exceed an  
9 employee's State base salary or direct wages.

10       (d)       An employee eligible to receive military administrative leave under this  
11 section who is activated for military duty on or after July 1, 2003, shall elect to use  
12 either military administrative leave or paid leave as provided in § 9-1104(3) of this  
13 subtitle.

14       (e)       The Department shall keep a record of the use of military administrative  
15 leave under this section.

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### Chapter 389 of the Acts of 2003

17       SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect  
18 July 1, 2003. It shall remain effective for a period of [1 year] 2 YEARS and, at the end  
19 of [June 30, 2004,] JUNE 30, 2005, with no further action required by the General  
20 Assembly, this Act shall be abrogated and of no further force and effect.

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