

(PRE-FILED)

By: ~~Senator Harris~~ **Senators Harris, Astle, Della, Exum, Gladden, Hafer,
Hooper, Kelley, Klausmeier, Middleton, Pipkin, and Teitelbaum**

Requested: November 12, 2004
Introduced and read first time: January 12, 2005
Assigned to: Education, Health, and Environmental Affairs
Re-referred to: Finance, January 14, 2005

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 8, 2005

CHAPTER _____

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 (2004 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Chapter 389 of the Acts of the General Assembly of 2003, as amended by
15 Chapter 122 of the Acts of the General Assembly of 2004
16 Section 2

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

1

Article - State Personnel and Pensions

2 9-1107.

3 (a) This section applies to all employees, except temporary employees, of all
4 units in the Executive, Judicial, and Legislative branches of State government,
5 including any unit with an independent personnel system.

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

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

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

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

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

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

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

24 **Chapter 389 of the Acts of 2003, as amended by Chapter 122 of the Acts of the**
25 **General Assembly of 2004**

26 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect
27 July 1, 2003. It shall remain effective for a period of [2] 3 years and, at the end of
28 [June 30, 2005,] JUNE 30, 2006, with no further action required by the General
29 Assembly, this Act shall be abrogated and of no further force and effect.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 June 1, 2005.

