

(PRE-FILED)

By: **Delegates Boteler and Cluster**

Requested: October 13, 2005

Introduced and read first time: January 11, 2006

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees - Military Administrative Leave**

3 FOR the purpose of repealing 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 and 2005 Supplement)

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 and Chapter 104
16 of the Acts of the General Assembly of 2005
17 Section 2

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

20 **Article - State Personnel and Pensions**

21 9-1107.

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

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

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

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

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

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

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

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

17 **Chapter 389 of the Acts of 2003, as amended by Chapter 122 of the Acts of**
18 **2004 and Chapter 104 of the Acts of 2005**

19 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect
20 July 1, 2003. [It shall remain effective for a period of 3 years and, at the end of June
21 30, 2006, with no further action required by the General Assembly, this Act shall be
22 abrogated and of no further force and effect.]

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 June 1, 2006.