
By: **Delegates Boteler, Cluster, Aumann, Conroy, DeBoy, Donoghue, Elliott,
Frank, Impallaria, Jennings, Kach, Kohl, Krebs, Levy, Mayer,
McDonough, McKee, Minnick, Montgomery, Trueschler, and Weir**

Introduced and read first time: February 10, 2006

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel - Appointments in Skilled and Professional Services -**
3 **Veterans**

4 FOR the purpose of requiring the Department of Budget and Management to adopt a
5 uniform point rating system for determining if a candidate meets certain
6 qualifications; requiring an appointing authority to use a certain selection
7 process that ensures compliance with State and federal laws and consistency in
8 recruitment and hiring; altering the number of points an appointing authority is
9 required to apply to the examination score or rating score for certain positions in
10 the State Personnel Management System for certain eligible veterans, spouses
11 of certain eligible veterans, or a former POW/MIA; requiring the appointing
12 authority to consider service in the Armed Forces under certain circumstances
13 in the evaluation of relevant work experience; requiring certain eligible veterans
14 that are laid off to be considered to displace certain other employees under
15 certain circumstances; altering a certain defined term; and generally relating to
16 appointments in the State Personnel Management System and veterans.

17 BY repealing and reenacting, with amendments,
18 Article - State Personnel and Pensions
19 Section 7-201(c), 7-206(a), 7-207(c), and 11-207
20 Annotated Code of Maryland
21 (2004 Replacement Volume and 2005 Supplement)

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

24 **Article - State Personnel and Pensions**

25 7-201.

26 (c) To ensure compliance with State and federal employment laws and to
27 ensure consistency in recruitment and hiring practices in the State Personnel
28 Management System, the Department shall:

1 (1) assist units in developing application forms, position selection plans,
2 selection tests, and announcement forms; [and]

3 (2) ADOPT A UNIFORM NUMERICAL POINT RATING SYSTEM FOR
4 DETERMINING IF A CANDIDATE MEETS THE MINIMUM QUALIFICATIONS FOR THE
5 CLASS OF THE POSITION AND ANY SELECTIVE QUALIFICATIONS; AND

6 (3) review and audit recruitment and hiring practices of all appointing
7 authorities at least once every 3 years.

8 7-206.

9 (a) (1) An appointing authority [may] SHALL use [any appropriate] A
10 selection process DEVELOPED IN ACCORDANCE WITH § 7-201(C) OF THIS SUBTITLE to
11 rate qualified applicants.

12 (2) A unit must be able to establish the job relatedness, reliability, and
13 validity of the selection tests that it uses.

14 7-207.

15 (c) (1) In this subsection, "eligible veteran" means a veteran of any branch
16 of the armed forces of the United States who has received an honorable discharge or
17 a certificate of satisfactory completion of military service, INCLUDING THE NATIONAL
18 GUARD AND THE ARMY RESERVE.

19 (2) (i) An appointing authority shall apply a credit of [ten] FIVE
20 points [on any selection test] TO THE EXAMINATION SCORE OR RATING SCORE for:

- 21 1. an eligible veteran;
- 22 2. the spouse of an eligible veteran who has a service
23 connected disability; or
- 24 3. the surviving spouse of a deceased eligible veteran.

25 (ii) An appointing authority shall apply a credit of [two additional]
26 TEN points [on any selection test for] TO THE EXAMINATION SCORE OR RATING
27 SCORE FOR:

- 28 1. an eligible veteran who has a service connected disability;
- 29 2. AN ELIGIBLE VETERAN WHO IS A PURPLE HEART
30 RECIPIENT; OR
- 31 3. A FORMER POW/MIA.

32 (3) The following applicants are ineligible for a credit under this
33 subsection:

- 34 (i) a current State employee; and

1 (ii) an eligible veteran who is convicted of a crime after being
2 discharged from or completing military service.

3 (4) IN EVALUATING RELEVANT WORK EXPERIENCE FOR AN APPLICANT,
4 THE APPOINTING AUTHORITY SHALL CONSIDER AN ELIGIBLE VETERAN'S SERVICE IN
5 THE ARMED FORCES AS:

6 (I) AN EXTENSION OF THE WORK PERFORMED IMMEDIATELY
7 PRIOR TO THE SERVICE;

8 (II) EXPERIENCE BASED ON THE ACTUAL DUTIES PERFORMED IN
9 THE SERVICE; OR

10 (III) A COMBINATION OF BOTH.

11 11-207.

12 (a) An employee being laid off may displace another employee who has the
13 least seniority points:

14 (1) in the same class or job series as the employee being laid off; or

15 (2) in any other class in which the laid-off employee previously held
16 satisfactory nonprobationary status within the 36 months immediately prior to the
17 effective date of the layoff.

18 (b) Subsection (a) of this section shall apply:

19 (1) first to the employee's current appointing authority regardless of
20 geographical area;

21 (2) if the provisions in paragraph (1) of this subsection are not available,
22 to the employee's current principal unit; or

23 (3) a secretary or head of a State principal unit may limit the
24 displacement within the principal unit to one or more of the established geographical
25 areas as prescribed by the Secretary.

26 (C) (1) IN THIS SUBSECTION, "ELIGIBLE VETERAN" HAS THE MEANING
27 STATED IN § 7-207(C) OF THIS ARTICLE.

28 (2) AN ELIGIBLE VETERAN WITH A 10% OR HIGHER DISABILITY RATING
29 BEING LAID OFF SHALL BE CONSIDERED TO DISPLACE ANOTHER EMPLOYEE BEFORE
30 OTHER EMPLOYEES IN THE SAME CLASS AND WITH THE SAME AMOUNT OF
31 SENIORITY POINTS.

32 (3) AN ELIGIBLE VETERAN WITHOUT A DISABILITY RATING BEING LAID
33 OFF SHALL BE CONSIDERED TO DISPLACE ANOTHER EMPLOYEE BEFORE OTHER
34 CIVILIAN EMPLOYEES IN THE SAME CLASS AND WITH THE SAME AMOUNT OF
35 SENIORITY POINTS.

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