
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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: April 4, 2006

CHAPTER _____

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 requiring an appointing~~
9 ~~authority is required to apply a credit of a certain number of points to the~~
10 ~~examination score or rating score on any selection test for certain positions in~~
11 ~~the State Personnel Management System for certain eligible veterans, spouses~~
12 ~~of certain eligible veterans, or a former POW/MIA prisoner of war; requiring the~~
13 ~~appointing authority to consider service in the Armed Forces under certain~~
14 ~~circumstances in the evaluation of relevant work experience; requiring certain~~
15 ~~eligible veterans that are laid off to be considered to displace certain other~~
16 ~~employees under certain circumstances; altering a certain defined term; and~~
17 ~~generally relating to appointments in the State Personnel Management System~~
18 ~~and veterans.~~

19 BY repealing and reenacting, with amendments,

20 Article - State Personnel and Pensions

21 Section ~~7-201(e), 7-206(a), 7-207(c), and 11-207~~ 7-207(c)

22 Annotated Code of Maryland

23 (2004 Replacement Volume and 2005 Supplement)

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

3 **Article - State Personnel and Pensions**

4 ~~7-201.~~

5 ~~(e) To ensure compliance with State and federal employment laws and to~~
6 ~~ensure consistency in recruitment and hiring practices in the State Personnel~~
7 ~~Management System, the Department shall:~~

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

10 ~~(2) ADOPT A UNIFORM NUMERICAL POINT RATING SYSTEM FOR~~
11 ~~DETERMINING IF A CANDIDATE MEETS THE MINIMUM QUALIFICATIONS FOR THE~~
12 ~~CLASS OF THE POSITION AND ANY SELECTIVE QUALIFICATIONS; AND~~

13 ~~(3) review and audit recruitment and hiring practices of all appointing~~
14 ~~authorities at least once every 3 years.~~

15 ~~7-206.—~~

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

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

21 ~~7-207.~~

22 ~~(c) (1) In this subsection, "eligible veteran" means a veteran of any branch~~
23 ~~of the armed forces of the United States who has received an honorable discharge or~~
24 ~~a certificate of satisfactory completion of military service, INCLUDING THE NATIONAL~~
25 ~~GUARD AND THE ARMY RESERVE MILITARY RESERVES.~~

26 ~~(2) (i) An appointing authority shall apply a credit of {ten} ~~FIVE~~~~
27 ~~points {on any selection test} ~~TO THE EXAMINATION SCORE OR RATING SCORE~~ for:~~

28 1. an eligible veteran;

29 2. the spouse of an eligible veteran who has a service
30 connected disability; or

31 3. the surviving spouse of a deceased eligible veteran.

32 ~~(ii) An appointing authority shall apply a credit of {two additional}~~
33 ~~TEN points {on any selection test for} ~~TO THE EXAMINATION SCORE OR RATING~~~~
34 ~~SCORE FOR:~~

1 1. an eligible veteran who has a service connected disability;

2 OR

3 2. ~~AN ELIGIBLE VETERAN WHO IS A PURPLE HEART~~

4 ~~RECIPIENT; OR~~

5 3. ~~A FORMER POW/MIA PRISONER OF WAR.~~

6 (3) The following applicants are ineligible for a credit under this
7 subsection:

8 (i) a current State employee; and

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

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

14 (I) ~~AN EXTENSION OF THE WORK PERFORMED IMMEDIATELY~~
15 ~~PRIOR TO THE SERVICE;~~

16 (II) ~~EXPERIENCE BASED ON THE ACTUAL DUTIES PERFORMED IN~~
17 ~~THE SERVICE; OR~~

18 (III) ~~A COMBINATION OF BOTH.~~

19 ~~41-207.~~

20 (a) ~~An employee being laid off may displace another employee who has the~~
21 ~~least seniority points:~~

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

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

26 (b) ~~Subsection (a) of this section shall apply:~~

27 (1) ~~first to the employee's current appointing authority regardless of~~
28 ~~geographical area;~~

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

31 (3) ~~a secretary or head of a State principal unit may limit the~~
32 ~~displacement within the principal unit to one or more of the established geographical~~
33 ~~areas as prescribed by the Secretary.~~

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

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

7 (3) ~~AN ELIGIBLE VETERAN WITHOUT A DISABILITY RATING BEING LAID~~
8 ~~OFF SHALL BE CONSIDERED TO DISPLACE ANOTHER EMPLOYEE BEFORE OTHER~~
9 ~~CIVILIAN EMPLOYEES IN THE SAME CLASS AND WITH THE SAME AMOUNT OF~~
10 ~~SENIORITY POINTS.~~

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