

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 735

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Bronrott” and substitute “, G. Clagett, Bronrott, Aumann, Bates, DeBoy, Stocksdales, Bohanan, Gaines, Sophocleus, and Guzzone”.

AMENDMENT NO. 2

On page 1, strike beginning with “requiring” in line 5 down through “criteria;” in line 8; in line 8, after “Secretary” insert “of Budget and Management”; in line 10, strike “management service”; strike beginning with “providing” in line 10 down through “service;” in line 13; in line 18, strike “professional service position” and substitute “position in the skilled service or professional service”; in the same line, after “circumstances;” insert “requiring the Department to adopt certain regulations relating to the recruitment for and appointment to certain positions;”; in line 23, after “System;” insert “establishing the Joint Committee on Fair Practices and State Personnel Oversight; specifying the membership of the Joint Committee; specifying the duties of the Joint Committee; repealing certain provisions of law relating to the Joint Committee on Fair Practices; making certain conforming changes;”; in line 25, strike the third “a”; and in lines 27 and 29, in each instance, after “date” insert “of certain years”.

AMENDMENT NO. 3

On page 2, in line 5, strike “4-201” and substitute “2-302(e)”; and in the same line, strike “5-208, 6-402, 6-403,” and substitute “5-206,”.

On page 3, in line 10, after “Section” insert “2-10A-08 and”; and after line 12, insert:

“BY repealing

(Over)

Chapter 347 of the Acts of the General Assembly of 1996
Section 7 1.”.

AMENDMENT NO. 4

On page 3, after line 15, insert:

“2-302.

(e) (1) At least annually, the Secretary shall report on the Equal Employment Opportunity Program established in § 5-202 of this article to the [Legislative] Joint Committee on Fair Practices AND STATE PERSONNEL OVERSIGHT.

(2) The head of a personnel system in the Legislative and Judicial branches may report periodically on equal employment opportunity programs and policies in effect in that personnel system to the [Legislative] Joint Committee on Fair Practices AND STATE PERSONNEL OVERSIGHT.”.

On page 5, after line 17, insert:

“5-206.

(a) The Governor, with the advice of the Joint Committee on [Fair Practices,] FAIR PRACTICES AND STATE PERSONNEL OVERSIGHT, shall appoint an Equal Employment Opportunity Coordinator.

(b) The Coordinator shall:

(1) administer and enforce the Program; and

(2) investigate and, as appropriate, resolve complaints that involve allegations of violations of this subtitle.”.

AMENDMENT NO. 5

On pages 3 and 4, strike in their entirety the lines beginning with line 16 on page 3 through line 17 on page 4, inclusive.

On page 4, in line 20, after “report” insert “COVERING ALL UNITS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING A UNIT WITH AN INDEPENDENT PERSONNEL SYSTEM,”; and strike beginning with the first “the” in line 22 down through “including” in line 23.

On page 5, strike beginning with the colon in line 8 down through “(II)” in line 11.

On pages 5 through 7, strike in their entirety the lines beginning with line 18 on page 5 through line 19 on page 7, inclusive.

AMENDMENT NO. 6

On page 8, in line 8, after “A” insert “POSITION IN THE SKILLED SERVICE OR”; in the same line, strike “POSITION”; strike beginning with “FROM” in line 13 down through “CANDIDATES” in line 14; and in line 20, strike “UNDER GUIDELINES ISSUED BY THE SECRETARY.” and substitute “IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT.”

(III) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THIS PARAGRAPH.”.

On page 9, in line 7, strike “or”; and in line 10, after “position” insert “;OR”

(4) IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER § 7-201(A)(2)(III) OF THIS SUBTITLE”.

(Over)

AMENDMENT NO. 7

On page 15, after line 1, insert:

“2-10A-08.

(A) THERE IS A JOINT COMMITTEE ON FAIR PRACTICES AND STATE PERSONNEL OVERSIGHT.

(B) (1) THE JOINT COMMITTEE CONSISTS OF EIGHT MEMBERS.

(2) OF THE EIGHT MEMBERS:

(I) FOUR SHALL BE MEMBERS OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND

(II) FOUR SHALL BE MEMBERS OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE.

(C) THE MEMBERS OF THE JOINT COMMITTEE SERVE AT THE PLEASURE OF THE PRESIDING OFFICER WHO APPOINTED THEM.

(D) THE PRESIDENT AND THE SPEAKER JOINTLY SHALL APPOINT A SENATOR AND A DELEGATE TO SERVE AS COCHAIRS.

(E) THE JOINT COMMITTEE SHALL HAVE OVERSIGHT OVER:

(1) EMPLOYMENT POLICIES AND PERSONNEL SYSTEMS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, INCLUDING:

- (I) THE STATE PERSONNEL MANAGEMENT SYSTEM;
- (II) THE MARYLAND DEPARTMENT OF TRANSPORTATION’S HUMAN RESOURCES MANAGEMENT SYSTEM; AND
- (III) THE PERSONNEL SYSTEMS OF STATE INSTITUTIONS OF HIGHER EDUCATION;
- (2) MATTERS IN STATE GOVERNMENT OF EQUAL EMPLOYMENT OPPORTUNITY POLICIES AND PRACTICES; AND
- (3) PROCUREMENT PRACTICES MADE UNDER EXECUTIVE ORDER.
- (F) THE PURPOSES OF THE JOINT COMMITTEE ARE TO:

 - (1) REVIEW REPORTS;
 - (2) EVALUATE THE EFFECTIVENESS OF PROGRAMS, POLICIES, AND PRACTICES; AND
 - (3) IDENTIFY AREAS OF CONCERN AND, AS APPROPRIATE, RECOMMEND CORRECTIVE MEASURES TO THE GOVERNOR AND THE GENERAL ASSEMBLY.”.

AMENDMENT NO. 8

On page 15, after line 25, insert:

“Chapter 347 of the Acts of 1996

SECTION 7. AND BE IT FURTHER ENACTED, That the Laws of Maryland

(Over)

read as follows:

[1. Legislative Joint Committee on Fair Practices.

(a) There is a Joint Committee on Fair Practices, which has oversight over matters in State government of equal employment opportunity policies and practices and procurement practices made under Executive Order.

(b) The Joint Committee shall be comprised of:

(1) three members of the Senate, appointed by the President of the Senate; and

(2) three members of the House of Delegates, appointed by the Speaker of the House.

(c) The purpose of the Joint Committee shall be to:

(1) review reports;

(2) evaluate the effectiveness of programs, policies, and practices; and

(3) identify areas of concern, and, as appropriate, recommend corrective measures to the Governor and the General Assembly.]”.

AMENDMENT NO. 9

On page 15, in lines 6 and 12, in each instance, strike “**TITLE, AND NAME**” and substitute “**AND TITLE**”; and in line 9, strike “**AND (3)(II)**”.

On page 16, in line 1, strike “November 1, 2010” and substitute “July 1, 2011”; in line 3, strike “2011” and substitute “2012”; and in line 7, strike “July” and substitute “October”.