

HOUSE BILL 1003

P4, P1

9lr2691

By: **Delegate Conaway**

Introduced and read first time: February 13, 2009

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees – Separation from Service by Governor – Repeal of**
3 **Authority**

4 FOR the purpose of repealing certain provisions of law under which a nontemporary
5 employee in the State Personnel Management System is separated from service
6 when the appropriation in the State budget for the position is omitted by the
7 Governor as evidenced in certain supporting documentation, or reduced by the
8 Governor in accordance with certain provisions of law and as evidenced in
9 certain supporting documentation; and generally relating to the separation of
10 employees from State service.

11 BY repealing and reenacting, without amendments,
12 Article – State Personnel and Pensions
13 Section 11–301
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2008 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – State Personnel and Pensions
18 Section 11–302
19 Annotated Code of Maryland
20 (2004 Replacement Volume and 2008 Supplement)

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

23 **Article – State Personnel and Pensions**

24 11–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 This subtitle applies to all nontemporary employees in the State Personnel
2 Management System.

3 11-302.

4 (a) An employee is separated from State service when the appropriation in
5 the State budget for the position is[:

6 (1) omitted by the Governor, as evidenced in the supporting
7 documentation submitted with the budget;

8 (2)] struck by the General Assembly, as evidenced in the budget bill or
9 in the report of the budget committees[; or

10 (3) reduced by the Governor in accordance with § 7-213 of the State
11 Finance and Procurement Article, as evidenced in the supporting documentation
12 submitted to the Board of Public Works].

13 (b) An employee may not appeal a separation from employment under this
14 section.

15 (c) An employee who is separated under this section is not subject to the
16 layoff provisions of Subtitle 2 of this title with the exception that an employee who is
17 separated shall have the same reinstatement rights as a laid-off employee.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 July 1, 2009.