AMENDMENTS TO SENATE BILL 548
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Grounds and”; in line 5, strike “the reasons for which a health officer may be removed from office and”; in line 6, after “removal” insert “of a health officer from office; prohibiting a health officer who appeals a certain decision of the Secretary from carrying out the duties of health officer while the appeal is pending”; and after line 12, insert:

“BY repealing and reenacting, with amendments, Article – State Personnel and Pensions
Section 11–305
Annotated Code of Maryland
(2015 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “FOR” in line 24 on page 2 down through “DUTY” in line 2 on page 3.

On page 3, strike beginning with “, SUBJECT” in line 11 down through “SUBSECTION” in line 12; in line 20, strike “WITHIN” and substitute “SOONER THAN”; in the same line, after “DAYS” insert “OR LATER THAN 30 DAYS”; in line 21, strike “HEARING DATE” and substitute “REMOVAL”; in the same line, strike “AND”; in line 23, strike “PUBLICLY”; in line 24, strike “, WHETHER IN PERSON OR BY COUNSEL” and substitute “; AND

3. THE SECRETARY SHALL MAKE A FINAL DECISION NOT LATER THAN 10 DAYS AFTER THE DATE OF THE HEARING”;
in line 25, after “(4)” insert “(I)”; in line 26, strike “AT A HEARING REQUESTED” and substitute “MADE”; in line 27, after “HEARINGS” insert “NOT LATER THAN 30 DAYS AFTER THE SECRETARY MADE THE DECISION”; and after line 27, insert:

“(II) A HEALTH OFFICER WHO APPEALS THE DECISION OF THE SECRETARY UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT CARRY OUT THE DUTIES OF HEALTH OFFICER WHILE THE APPEAL IS PENDING.

Article – State Personnel and Pensions

11–305.

(a) (1) This section [only] applies ONLY to an employee who is in a position:

[1(1) (I) under a special appointment;

[1(2) (II) in the management service; or

[1(3) (III) in the executive service.

(2) THIS SECTION DOES NOT APPLY TO A HEALTH OFFICER APPOINTED UNDER § 3–302 OF THE HEALTH – GENERAL ARTICLE.

(b) Each employee subject to this section:

(1) serves at the pleasure of the employee’s appointing authority; and

(2) may be terminated from employment for any reason that is not illegal or unconstitutional, solely in the discretion of the appointing authority.

(c) A management service employee or a special appointment employee designated by the Secretary under § 4–201(c)(2)(i) of this article may not be terminated for the purpose of creating a new position for another individual’s appointment because of that individual’s political affiliation, belief, or opinion.
(d) An employee or an employee’s representative may file a written appeal of an employment termination under this section as described under § 11–113 of this title.”.