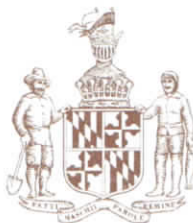


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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 18, 2022

SB255/HB90
State Personnel Management System – Office of the Public Defender
Placement and Collective Bargaining

Good Afternoon Chair McIntosh, Vice Chair Chang and Members of the Appropriation Committee;

Thank you for the opportunity to present SB255 to you. It is the cross-file of HB90 that has already passed out of the House and into the Senate. The two bills are in the same posture.

SB255 makes changes to the employment status of the attorneys in the Office of the Public Defenders from the classification "special appointee" to the more appropriate "profession service" under the State Personnel Management System. They go from being at will to having the same rights and protections that other state employees in professional service have.

SB255 adds the OPDs to the list of State agencies that are covered under collective bargaining. This is enabling legislation, once passed the OPD employees will still need to do an election with the State Labor Relations Board to certify a collective bargaining unit to represent them.

Collective bargaining for OP'S is allowed in 18 other States. It's beyond time that our Maryland OPD attorneys and employees have the same due process that most other State employees have. The reason the OPD's do not currently have collective bargaining dates back to 1996 when an executive order from the Governor directed that all agencies covered by his direct control would be covered by collective bargaining. OPD's are considered independent, since 1998 independent agencies have been largely added by piecemeal. It's time to allow OPDs to have the right to collective bargaining.

Thank you for the opportunity to present SB255, and I respectfully request a favorable report.