

of enlistment in case he has voluntarily entered, for reinstatement as a State employee; and

(2) He makes application for reinstatement within ninety days from the date of separation from such service or within ninety days after discharge from a hospital, provided such hospitalization is directly connected with, related to and immediately follows his separation from the armed forces and the period of hospitalization does not extend beyond a year from the date of such separation.

Any employee qualifying for reinstatement under this provision shall be entitled to start at the salary and rate of earnings for leave which he would have received if he had remained continuously in the State service.

*If he is not qualified to perform the duties of his prior position by reason of disability sustained during military service, but is qualified to perform the duties of any other position in the employ of the State, he shall be re-employed in such comparable position the duties of which he is qualified to perform as will provide him like seniority, status, and pay rate, or the nearest approximation thereof consistent with the circumstances of his case.*

*A person who is reinstated or re-employed as in this section provided, is hereinafter referred to as a "re-employee". Upon reinstatement or re-employment, a re-employee shall be considered as having been on furlough and the time between the date of his entry into the armed services and the date of his reinstatement or re-employment shall be added to the time he had been employed by the State by whom he was employed when he entered the armed services, to determine his length of service, seniority and status, and he shall be entitled to all benefits and privileges, including rate of pay, ~~pension and retirement rights~~, which attach to such seniority and status or either. THE PENSION AND RETIREMENT RIGHTS OF A RE-EMPLOYEE SHALL BE DETERMINED BY THE PROVISIONS OF SECTION 88 OF ARTICLE 65 OF THIS CODE.*

*A re-employee shall also be restored, upon reinstatement or re-employment to the Merit System status ~~or classification~~, if any, held by him at the time of his entry into the armed services, and shall be given credit for the additional seniority above provided. He shall not be discharged from the position to which he is reinstated or in which he is re-employed without substantial cause within one year after reinstatement, and only for the reasons and in the manner provided in the Merit System, if applicable.*

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1970.*

Approved April 28, 1970

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CHAPTER 485  
(House Bill 817)

AN ACT to add new subsection 21(h) to Article 66B of the Annotated Code of Maryland (1967 Replacement Volume and 1969 Supplement), title "Zoning and Planning," subtitle "Planning," sub-