

REVISOR'S NOTE: Subsections (a) through (e)(2) of this section are new language derived without substantive change from former Art. 64A, § 37(b) and, as it related to contributions of unused personal leave, the first sentence of § 37(a)(5)(i).

Subsection (e)(3) of this section is new language added to state expressly that which only was implied in the former reference to the Secretary's decision being based "in part" on documentation and the Medical Director's recommendation - i.e., that other relevant information may be considered.

In subsection (b) of this section, the former description of an employee as "classified or unclassified[,] full-time or part-time, who is employed by a State agency" is deleted as unnecessary in light of § 7-501 of this subtitle.

In subsection (d)(2) of this section, the phrase "on or" after the first day that an employee's disability retirement becomes effective is added to clarify what the State Personnel Article Review Committee believes to be the legislative intent - i.e., that the first day that the disability retirement becomes effective is included in the prohibition against transfers of leave days from the Fund.

As to the uniform use in this section and throughout this subtitle of the phrase "illness or disability", see General Revisor's Note to this subtitle.

Defined term: "Secretary" § 1-101

GENERAL REVISOR'S NOTE:

Throughout this subtitle, the phrase "illness or disability" has been uniformly substituted for the former, inconsistent references to an employee's "illness [or] accident disability" in former Art. 64A, § 37(a)(3)(ii); to a family member's "illness" in § 37(a)(3)(ii); and to an employee's "disability, ailment or illness" in § 37(a)(3)(iii), "medical disability" in § 37(b)(4)(i), "long-term illness" in § 37(b)(5)(i), "illness or injury" in § 37(e)(1), and "sickness or accident disability" in § 37(h). The State Personnel Article Review Committee calls this substitution to the attention of the General Assembly.

The second sentence of former Art. 64A, § 37(a)(3)(i), which specifically provided that employees retain sick leave accumulated on December 31, 1974, is transferred to the Session Laws of Maryland.

SUBTITLE 6. WORK-RELATED ACCIDENT LEAVE.

7-601. SCOPE OF SUBTITLE.

THIS SUBTITLE APPLIES TO ALL CLASSIFIED SERVICE AND UNCLASSIFIED SERVICE EMPLOYEES IN THE STATE PERSONNEL MANAGEMENT SYSTEM.

REVISOR'S NOTE: This section is new language added to clarify the scope of this subtitle in accordance with long-standing Departmental understanding and administrative practice. See 77 Op. Att'y Gen. _____ (1992) [Opinion No. 92-016 (May 20, 1992)].