

**Article – Tax – Property**

2-104.

(c) The State Supervisor of Assessments and the assessment area supervisors are in the unclassified service of the State Personnel Management System. [However] HOWEVER, they shall hold their positions during good behavior[,] and may be removed from their positions only after a hearing before the Department and a finding of incompetency or other cause.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article 64A – Merit System**

1.

In this article the following words have the meanings indicated:

(17) "Reinstatement" means reemployment of a person [in a classification previously held and includes] WITH restoration of all benefits.

SECTION 3. AND BE IT FURTHER ENACTED, That in amending Article 64A, § 1(17) of the Code, the General Assembly intends to clarify the reinstatement rights of employees in accordance with the following:

On October 4, 1991, based on the language of Article 64A, § 1(17) and a proposed decision from the Office of Administrative Hearings, the Department of Personnel issued a memorandum limiting reinstatement rights to only employees returning to the same class held at the time of separation. Subsequently, on November 27, 1991, advice of counsel from the Office of the Attorney General concluded that the General Assembly did not intend to prevent reinstatement benefits based on prior service to an employee who was rehired in a class other than the class held at the time of separation. Section 2 of this Act is therefore enacted to reflect the intent of the General Assembly, as indicated in that advice of counsel, and to supersede the Department of Personnel memorandum of October 4, 1991.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be void after September 30, 1993.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall take effect October 1, 1993.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and, except as provided in Section 5 of this Act, shall take effect from the date it is enacted.

Approved April 13, 1993.