

HOUSE BILL 351

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HB 274/97 - APP

1998 Regular Session
8r1289

By: **Delegates Grosfeld, Mandel, Dembrow, Genn, Goldwater, Kopp, Kagan,
Petzold, Gordon, Heller, Shriver, Hurson, Franchot, Hixson, Beck,
Mossburg, Ciliberti, Faulkner, Cryor, Flanagan, and Turner**

Introduced and read first time: January 30, 1998

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Membership in the Judges' Retirement System - Masters**

3 FOR the purpose of providing for all full-time masters in chancery and masters in
4 juvenile causes to become members of the Judges' Retirement System;
5 authorizing the purchase of service credit for certain prior service; providing for
6 the transfer of certain contributions; and generally relating to the membership
7 of the Judges' Retirement System.

8 BY repealing and reenacting, with amendments,
9 Article - State Personnel and Pensions
10 Section 23-201(a), 27-201, and 27-304
11 Annotated Code of Maryland
12 (1997 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - State Personnel and Pensions**

16 23-201.

17 (a) Except as provided in subsection (b) of this section, §§ 23-202 through
18 23-205 of this subtitle apply only to:

19 (1) a regular employee whose compensation is provided by State
20 appropriation or paid from State funds;

21 (2) an appointed or elected official of the State, including:

22 (i) a clerk of the circuit court;

23 (ii) a register of wills;

24 (iii) a State's Attorney; and

- 1 (iv) a sheriff;
- 2 (3) an employee or official of a participating governmental unit who is
3 eligible to participate under Title 31, Subtitle 1 of this article;
- 4 (4) an employee of the Office of the Sheriff of Baltimore City;
- 5 (5) an additional employee or agent of the State Racing Commission
6 authorized by § 11-207 of the Business Regulation Article;
- 7 (6) a permanent employee of the board of supervisors of elections of a
8 county;
- 9 (7) [a full-time master in chancery or in juvenile causes who is
10 appointed on or after July 1, 1989, in any county by the circuit court for that county;
- 11 (8)] an employee of the Maryland Environmental Service who is a
12 member of the Employees' Pension System on June 30, 1993, or transfers from the
13 Employees' Retirement System on or after July 1, 1993;
- 14 [(9)] (8) a full-time employee of the Maryland Aviation Administration
15 Fire Rescue Service who becomes an employee on or after October 1, 1993;
- 16 [(10)] (9) an employee of Dorchester County who is not a member of the
17 County's general pension and retirement program;
- 18 [(11)] (10) a former Baltimore City jail employee who became an employee
19 of the Baltimore City Detention Center and a member of the Employees' Pension
20 System on July 1, 1991;
- 21 [(12)] (11) an employee of the Baltimore City Community College who is
22 not a clerical or professional employee; and
- 23 [(13)] (12) a court reporter for the Circuit Court for Charles County who is
24 a member of the Employees' Pension System on July 1, 1994, or transfers from the
25 Employees' Retirement System on or after July 1, 1994.

26 27-201.

27 (a) The following individuals are members of the Judges' Retirement System:

- 28 (1) a judge of the Court of Appeals, Court of Special Appeals, circuit court
29 of a county, or District Court of Maryland;
- 30 (2) a member of the State Workers' Compensation Commission; and
- 31 (3) a master in chancery or master in juvenile causes who[:
- 32 (i) was appointed by the circuit court of a county on or before June
33 30, 1989; and

1 (ii)] serves full time as a master.

2 (b) A former judge who is temporarily assigned to sit in a court of the State
3 under the authority of Article IV, § 3A of the Maryland Constitution is not a member.

4 27-304.

5 (a) A member may purchase service credit as provided in subsection (b) of this
6 section for periods of service described in subsection (c) of this section for which the
7 member is not otherwise entitled to service credit.

8 (b) (1) To purchase service credit under this section, a member must:

9 (i) complete a claim for the service credit and file it with the Board
10 of Trustees on the form that the Board of Trustees provides; and

11 (ii) pay to the Board of Trustees in a single payment 6% of the
12 amount received in compensation for that full-time service plus regular interest to
13 the date of payment.

14 (2) A member may pay for service credit purchased under this section at
15 any time before retirement.

16 (c) A member may purchase service credit for prior service as:

17 (1) a full-time master in chancery or master in juvenile causes on or
18 before June 30, 1975 OR FROM JULY 1, 1989 THROUGH SEPTEMBER 30, 1998, BOTH
19 INCLUSIVE; or

20 (2) a member of the State Workers' Compensation Commission on or
21 before June 30, 1977.

22 (d) Service credit that is purchased under this section may not be used as
23 service credit in another retirement or pension system of the State or a political
24 subdivision of the State.

25 SECTION 2. AND BE IT FURTHER ENACTED, That, for members of the
26 Judges' Retirement System who transfer from the Employees' Pension System, the
27 Board of Trustees shall transfer to the Judges' Retirement System the member
28 contributions and employer contributions that were made to the Employees' Pension
29 System on behalf of those members who transferred, plus the interest earned on those
30 contributions through the date of transfer.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1998.