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By: **Senator Munson**  
Introduced and read first time: January 31, 2003  
Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 21, 2003

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CHAPTER 25

1 AN ACT concerning

2 **Employees' State Retirement and Pension System - Retirement Benefits -**  
3 **Board of License Commissioners of Washington County**

4 FOR the purpose of allowing certain retirees to receive ~~service credit in the~~  
5 ~~Employees' Retirement System for a certain period of time; allowing certain~~  
6 ~~retirees to receive a normal service retirement benefit from the Employees'~~  
7 ~~Retirement System under certain circumstances; requiring certain retirees to~~  
8 ~~repay to the Board of Trustees of the State Retirement and Pension System~~  
9 ~~certain retirement benefits received from the Employees' Retirement System;~~  
10 ~~requiring certain retirees to complete certain claims; requiring the Board of~~  
11 ~~License Commissioners of Washington County to pay a certain amount of money~~  
12 ~~to the Board of Trustees for the State Retirement and Pension System; requiring~~  
13 ~~certain retirees of the Employees' Retirement System to pay a certain amount of~~  
14 ~~money to the Board of Trustees of the State Retirement and Pension System; a~~  
15 ~~normal service retirement benefit from the Employees' Retirement System~~  
16 ~~under certain circumstances; allowing certain retirees who are receiving a~~  
17 ~~normal service retirement benefit from the Employees' Retirement System to~~  
18 ~~receive a normal service retirement benefit from the Employees' Pension System~~  
19 ~~under certain circumstances; requiring certain retirees to make certain~~  
20 ~~payments to the Board of Trustees; and generally relating to retirement benefits~~  
21 ~~for retirees serving on the Board of License Commissioners of Washington~~  
22 ~~County.~~

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
24 MARYLAND, That:

25 (a) This section applies to any retiree of the Employees' Retirement System  
26 who:

1 (1) was employed by the Washington County Board of Elections on or  
2 after April 1, 1976;

3 (2) retired from the Washington County Board of Elections and began  
4 receiving a normal service retirement benefit on or before December 31, 1993;

5 (3) became employed by the Board of License Commissioners of  
6 Washington County on or before December 31, 1994; and

7 (4) began making contributions to the Employees' Pension System on or  
8 before July 31, 2000 and ceased making contributions to the Employees' Pension  
9 System on or before April 30, 2001.

10 ~~(b) Any retiree described under subsection (a) of this section, who pays to the~~  
11 ~~Board of Trustees in a single payment, the total amount of retirement benefits the~~  
12 ~~retiree received from the Employees' Retirement System, plus regular interest~~  
13 ~~through the date of repayment:~~

14 ~~(1) may receive creditable service in the Employees' Retirement System~~  
15 ~~beginning on the date the retiree became employed by the Board of License~~  
16 ~~Commissioners of Washington County and ceasing on the date the retiree ends~~  
17 ~~employment with the Board of License Commissioners of Washington County; and~~

18 ~~(2) is entitled to receive a normal service retirement benefit under §~~  
19 ~~22-401 of the State Personnel and Pensions Article of the Code upon ceasing~~  
20 ~~employment with the Board of License Commissioners of Washington County, based~~  
21 ~~on the retiree's employment service with the City of Hagerstown and the Board of~~  
22 ~~License Commissioners of Washington County.~~

23 ~~(c) To receive service credit under subsection (b)(1) of this section, a retiree~~  
24 ~~shall complete a claim for the service credit and file it with the Board of Trustees on~~  
25 ~~a form the Board of Trustees provides.~~

26 ~~(d) (1) On receiving a claim for service credit for service with the Board of~~  
27 ~~License Commissioners of Washington County, the Board of Trustees shall:~~

28 ~~(i) verify the service and the amount of service credit to which the~~  
29 ~~retiree is entitled;~~

30 ~~(ii) compute the amount due from the Board of License~~  
31 ~~Commissioners of Washington County because of the claim; and~~

32 ~~(iii) submit a statement to the Board of License Commissioners of~~  
33 ~~Washington County for that amount.~~

34 ~~(2) The computation made under paragraph (1)(ii) of this subsection~~  
35 ~~shall be based on the compensation actually received by the retiree during the period~~  
36 ~~for which service credit is to be granted.~~

1           (3)     Upon receiving a statement from the Board of Trustees, the Board of  
2 License Commissioners of Washington County shall pay the amount immediately to  
3 the Board of Trustees or place it in the next budget for prompt payment when that  
4 budget becomes effective.

5           (e)     (1)     In addition to the repayment of funds described in subsection (b) of  
6 this section, a retiree who receives service credit under subsection (b)(1) of this  
7 section:

8                   (i)     shall pay to the Board of Trustees in a single payment, within  
9 the period determined by the Board of Trustees, the member contributions, plus  
10 regular interest, that the retiree would have paid had the retiree been a member of  
11 the Employees' Retirement System; or

12                   (ii)    subject to paragraph (2) of this subsection, may waive the  
13 payment of any part of the member contributions plus regular interest.

14           (b)     Any retiree described in subsection (a) of this section:

15                   (1)     may continue to receive a normal service retirement benefit under §  
16 22-401 of the State Personnel and Pensions Article of the Code based on the  
17 creditable service the retiree earned as an employee of the Washington County Board  
18 of Elections; and

19                   (2)     is entitled to receive a normal service retirement benefit under §  
20 23-401 of the State Personnel and Pensions Article of the Code upon ceasing  
21 employment with the Board of License Commissioners of Washington County.

22           (c)     To receive a normal service retirement benefit under subsection (b)(2) of  
23 this section, a retiree shall pay to the Board of Trustees:

24                   (1)     in a single payment, the member contributions the retiree would  
25 have made for the period of employment with the Board of License Commissioners of  
26 Washington County beginning June 30, 2000 and ending June 30, 2003; and

27                   (2)     beginning July 1, 2003, member contributions to the Employees'  
28 Pension System as provided in § 23-212 of the State Personnel and Pensions Article  
29 as an employee of the Board of License Commissioners of Washington County.

30                   (2)     (d)     If a retiree who receives credit under this section waives  
31 payment of any contributions or interest, the Board of Trustees shall reduce the  
32 retiree's allowance by the actuarial equivalent of those contributions, plus interest to  
33 the date of retirement, that the retiree had not paid.

34     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 July 1, 2003.

