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By: **Delegates Proctor and Vallario**  
Introduced and read first time: February 11, 1999  
Assigned to: Appropriations

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A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Officers' Retirement System - Fire and Rescue Employees of**  
3 **the Aviation Administration**

4 FOR the purpose of providing for certain fire and rescue employees of the Aviation  
5 Administration to be members of the Correctional Officers' Retirement System;  
6 repealing certain provisions of law allowing fire and rescue employees of the  
7 Aviation Administration to be members of the Employees' Retirement System or  
8 the Employees' Pension System; requiring the transfer of certain employer  
9 contributions and interest to the accumulation fund of the Correctional Officers'  
10 Retirement Fund; and generally relating to the transfer of membership of fire  
11 and rescue employees of the Aviation Administration to the Correctional  
12 Officers' Retirement System.

13 BY repealing and reenacting, with amendments,  
14 Article - State Personnel and Pensions  
15 Section 22-201(a)(7) through (10), 23-201(a)(9) through (14), 25-201, 25-303,  
16 and 25-401  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 1998 Supplement)

19 BY adding to  
20 Article - State Personnel and Pensions  
21 Section 25-206  
22 Annotated Code of Maryland  
23 (1997 Replacement Volume and 1998 Supplement)

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

1 **Article - State Personnel and Pensions**

2 22-201.

3 (a) Except as provided in subsection (b) of this section, §§ 22-202 through  
4 22-204 of this subtitle apply only to:

5 (7) [a full-time employee of the Maryland Aviation Administration Fire  
6 Rescue Service who becomes an employee on or after October 1, 1993, and who before  
7 employment with the Maryland Aviation Administration Fire Rescue Service was a  
8 member of the Employees' Retirement System;

9 (8)] an employee of Dorchester County who is not a member of the  
10 County's general pension and retirement program and who is a member of the  
11 Employees' Retirement System;

12 [(9)] (8) a court reporter for the Circuit Court for Charles County who is  
13 a member of the Employees' Retirement System on July 1, 1994; and

14 [(10)] (9) a staff employee of the University System of Maryland, Morgan  
15 State University, or St. Mary's College who is a member of the Employees' Retirement  
16 System as of January 1, 1998.

17 23-201.

18 (a) Except as provided in subsection (b) of this section, §§ 23-202 through  
19 23-205 of this subtitle apply only to:

20 (9) [a full-time employee of the Maryland Aviation Administration Fire  
21 Rescue Service who becomes an employee on or after October 1, 1993;

22 (10)] an employee of Dorchester County who is not a member of the  
23 County's general pension and retirement program;

24 [(11)] (10) a former Baltimore City jail employee who became an  
25 employee of the Baltimore City Detention Center and a member of the Employees'  
26 Pension System on July 1, 1991;

27 [(12)] (11) an employee of the Baltimore City Community College who is  
28 not a clerical or professional employee;

29 [(13)] (12) a court reporter for the Circuit Court for Charles County who  
30 is a member of the Employees' Pension System on July 1, 1994, or transfers from the  
31 Employees' Retirement System on or after July 1, 1994; and

32 [(14)] (13) a staff employee of the University System of Maryland,  
33 Morgan State University, or St. Mary's College who is:

34 (i) a member of the Employees' Pension System on January 1,  
35 1998, or transfers from the Employees' Retirement System on or after January 1,  
36 1998; or

1 (ii) a staff employee of the University System of Maryland, Morgan  
 2 State University, or St. Mary's College who becomes an employee on or after January  
 3 1, 1998.

4 25-201.

5 (a) Except as provided in subsection (b) of this section, this subtitle applies  
 6 only to:

7 (1) correctional officers serving in any of the first six job classifications;

8 [and]

9 (2) security attendants at Clifton T. Perkins Hospital Center; AND

10 (3) FIRE AND RESCUE EMPLOYEES OF THE AVIATION ADMINISTRATION.

11 (b) This subtitle does not apply to an employee of the Baltimore City Jail as of  
 12 June 30, 1991, who:

13 (1) became an employee of the Baltimore City Detention Center on July  
 14 1, 1991; and

15 (2) who did not elect to become a member of the Correctional Officers'  
 16 Retirement System on that date.

17 25-206.

18 FOR MEMBERS WHO TRANSFER FROM THE EMPLOYEES' PENSION SYSTEM OR  
 19 THE EMPLOYEES' RETIREMENT SYSTEM, THE BOARD OF TRUSTEES SHALL TRANSFER  
 20 TO THE ACCUMULATION FUND OF THE CORRECTIONAL OFFICERS' RETIREMENT  
 21 SYSTEM THE EMPLOYER CONTRIBUTIONS THAT WERE MADE TO THE EMPLOYEES'  
 22 RETIREMENT SYSTEM AND THE EMPLOYEES' PENSION SYSTEM ON BEHALF OF  
 23 THOSE MEMBERS WHO TRANSFERRED, PLUS THE INTEREST EARNED ON THOSE  
 24 CONTRIBUTIONS THROUGH THE DATE OF TRANSFER.

25 25-303.

26 Eligibility service for a member consists of service credit:

27 (1) for employment as a member;

28 (2) regained under § 25-304 of this subtitle by a member who redeposits  
 29 accumulated contributions previously withdrawn;

30 (3) transferred from a retirement or pension system under Title 37 of  
 31 this article or Title 31, Subtitle 1 of this article;

32 (4) for military service as provided in Title 38 of this article; [or]

33 (5) purchased under this subtitle; OR

1           (6)       TRANSFERRED FROM THE EMPLOYEES' PENSION SYSTEM AS A FIRE  
2 AND RESCUE EMPLOYEE OF THE AVIATION ADMINISTRATION.

3 25-401.

4       (a)       A member may retire with a normal service retirement allowance if:

5           (1)       on or before the date of retirement, the member has at least 20 years  
6 of eligibility service;

7           (2)       for at least 5 years immediately before retirement[.];

8           (I)       the member was a security attendant at Clifton T. Perkins  
9 Hospital Center, a correctional officer in any of the first six job classifications, or in a  
10 combination of these positions; OR

11           (II)      THE MEMBER WAS A FIRE AND RESCUE EMPLOYEE OF THE  
12 AVIATION ADMINISTRATION; and

13           (3)       the member completes and submits a written application to the  
14 Board of Trustees stating the date when the member desires to retire.

15       (b)       On retirement under this section, a member is entitled to receive a normal  
16 service retirement allowance that equals one fifty-fifth of the member's average final  
17 compensation multiplied by the number of years of creditable service.

18       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 July 1, 1999.