

SENATE BILL 106

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1999 Regular Session  
9lr0654

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By: **Senator Kasemeyer (Chairman, Joint Committee on Pensions)**

Introduced and read first time: January 22, 1999

Assigned to: Budget and Taxation

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A BILL ENTITLED

1 AN ACT concerning

2 **Employees' and Teachers' Pension Systems - Minimum Hours Required for**  
3 **Initial Membership**

4 FOR the purpose of excluding from membership in the Employees' Pension System  
5 and the Teachers' Pension System an employee who is not a member of a State  
6 system and who accepts a position for which the budgeted hours per fiscal year  
7 are less than a certain number of minimum hours in the first fiscal year of  
8 employment; and generally relating to membership in the Employees' Pension  
9 System and the Teachers' Pension System.

10 BY repealing and reenacting, with amendments,  
11 Article - State Personnel and Pensions  
12 Section 23-201(b) and 23-206(b)  
13 Annotated Code of Maryland  
14 (1997 Replacement Volume and 1998 Supplement)

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

17 **Article - State Personnel and Pensions**

18 23-201.

19 (b) Sections 23-202 through 23-205 of this subtitle do not apply to:

20 (1) an individual who is or is entitled to be a member of any State system  
21 other than the Employees' Pension System;

22 (2) a contractual, emergency, or temporary extra employee;

23 (3) an individual who is employed under a federal public service  
24 employment program;

25 (4) an assessor who is a member of a retirement or pension system  
26 operated by a political subdivision of the State;

1 (5) an employee of a board of supervisors of elections who chose to stay in  
2 a local merit system under Article 33, § 2-207 of the Code; [or]

3 (6) a nonclerical or nonprofessional employee of the Baltimore City  
4 Community College who:

5 (i) was an employee of the New Community College of Baltimore  
6 during the 1989-1990 academic year;

7 (ii) was employed by the New Community College of Baltimore on  
8 or before December 31, 1990, as a "Class A" member of the Baltimore City Retirement  
9 Plan; and

10 (iii) elected to remain a member of the Baltimore City Retirement  
11 Plan; OR

12 (7) AN EMPLOYEE WHO IS NOT A MEMBER OF A STATE SYSTEM AND  
13 WHO ACCEPTS A POSITION FOR WHICH THE BUDGETED HOURS PER FISCAL YEAR  
14 ARE LESS THAN 500 HOURS IN THE FIRST FISCAL YEAR OF EMPLOYMENT.

15 23-206.

16 (b) Sections 23-207 through 23-209 of this subtitle do not apply to:

17 (1) an individual who has elected to participate in an optional retirement  
18 program under Title 30 of this article;

19 (2) an individual who is employed under a federal public service  
20 employment program;

21 (3) a professional or clerical employee of the Department of Public  
22 Libraries of Montgomery County who is participating in the employees' retirement  
23 system of Montgomery County; [or]

24 (4) a staff employee of the University System of Maryland, Morgan State  
25 University, or St. Mary's College who becomes employed on or after January 1, 1998  
26 in a position as a staff employee of the educational institution that was eligible for  
27 membership in the Teachers' Retirement System or Teachers' Pension System under  
28 Chapter 6, § 8, paragraphs 1(a) and 2(a) of the Acts of 1994; OR

29 (5) AN EMPLOYEE WHO IS NOT A MEMBER OF A STATE SYSTEM AND  
30 WHO ACCEPTS A POSITION FOR WHICH THE BUDGETED HOURS PER FISCAL YEAR  
31 ARE LESS THAN 500 HOURS IN THE FIRST FISCAL YEAR OF EMPLOYMENT.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 1999.