

HOUSE BILL 537

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K4

2001 Regular Session
(11r1266)

ENROLLED BILL
-- Appropriations/Budget and Taxation --

Introduced by **Delegates Hubers, Proctor, Stocksdales, Turner, and D'Amato**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System - Membership - Martin State**
3 **Airport Firefighters**

4 FOR the purpose of ~~requiring allowing~~ *providing* certain firefighters for the Martin
5 State Airport who are employed by the Military Department ~~to become members~~
6 ~~of membership in~~ the Law Enforcement Officers' Pension System; ~~providing for~~
7 ~~the transfer of certain funds from the Employees' Retirement System or the~~
8 ~~Employees' Pension System to the Law Enforcement Officers' Pension System;~~
9 and generally relating to pensions for firefighters for the Martin State Airport
10 who are employed by the Military Department.

11 BY repealing and reenacting, with amendments,
12 Article - State Personnel and Pensions
13 Section 26-201(a) and 26-202
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2000 Supplement)

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

3 **Article - State Personnel and Pensions**

4 26-201.

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

7 (1) an employee of the Department of Natural Resources commissioned
8 by the Secretary of Natural Resources as:

9 (i) a Natural Resources police officer; or

10 (ii) a law enforcement officer, other than a Natural Resources police
11 officer;

12 (2) a law enforcement officer employed by the Maryland Investigative
13 Services Unit;

14 (3) a member of the Maryland Transportation Authority Police Force
15 who has the powers granted to a police officer under § 4-208 of the Transportation
16 Article;

17 (4) a deputy sheriff employed by the Baltimore City Sheriff's
18 Department;

19 (5) a member of the University of Maryland Police Force who has the
20 powers granted to a police officer under § 13-601 of the Education Article;

21 (6) a law enforcement officer employed by a participating governmental
22 unit that on or after July 1, 1999 has elected to participate in the Law Enforcement
23 Officers' Pension System;

24 (7) the State Fire Marshal or a Deputy State Fire Marshal;

25 (8) a member of the Morgan State University Police Force who has the
26 powers granted to a police officer under § 14-106 of the Education Article;

27 (9) a member of the BWI Airport Fire & Rescue Department;

28 (10) a member of the Department of General Services Police Force who
29 has the powers granted to a police officer under § 4-605 of the State Finance and
30 Procurement Article;

31 (11) an employee of the Department of Health and Mental Hygiene
32 commissioned by the Secretary of Health and Mental Hygiene as a Health and Mental
33 Hygiene police officer;

1 (12) an employee of the Motor Vehicle Administration commissioned by
2 the Secretary of the Department of Transportation as a Motor Vehicle Administration
3 police officer; [or]

4 (13) an employee of the Department of Labor, Licensing, and Regulation
5 commissioned by the Secretary of Labor, Licensing, and Regulation as a Labor,
6 Licensing, and Regulation police officer; OR

7 (14) A FIREFIGHTER FOR THE MARTIN STATE AIRPORT EMPLOYED BY
8 THE MILITARY DEPARTMENT.

9 (b) This subtitle does not apply to:

10 (1) a Maryland Transportation Authority police officer who transferred
11 from the Employees' Retirement System to the Employees' Pension System on or after
12 December 1, 1996;

13 (2) a deputy sheriff employed by the Baltimore City Sheriff's
14 Department who transferred from the Employees' Retirement System to the
15 Employees' Pension System on or after December 1, 1996;

16 (3) a member of the University of Maryland Police Force who transferred
17 from the Employees' Retirement System to the Employees' Pension System on or after
18 December 1, 1997;

19 (4) a law enforcement officer employed by a participating governmental
20 unit who transferred from the Employees' Retirement System to the Employees'
21 Pension System on or after December 1, 1997;

22 (5) a Maryland Port Administration police officer who transferred from
23 the Employees' Retirement System to the Employees' Pension System on or after
24 December 1, 1997;

25 (6) a State Fire Marshal or Deputy State Fire Marshal who transferred
26 from the Employees' Retirement System to the Employees' Pension System on or after
27 December 1, 1996;

28 (7) a member of the Morgan State University Police Force who
29 transferred from the Employees' Retirement System to the Employees' Pension
30 System on or after December 1, 1997;

31 (8) a member of the BWI Airport Fire & Rescue Department who
32 transferred from the Employees' Retirement System to the Employees' Pension
33 System on or after April 1, 1998; [or]

34 (9) a member of the Department of General Services, Department of
35 Health and Mental Hygiene, Motor Vehicle Administration, or Department of Labor,
36 Licensing, and Regulation Police Force who transferred from the Employees'
37 Retirement System to the Employees' Pension System on or after April 1, 1998; OR

1 (10) A FIREFIGHTER FOR THE MARTIN STATE AIRPORT EMPLOYED BY
2 THE MILITARY DEPARTMENT WHO TRANSFERRED FROM THE EMPLOYEES'
3 RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR AFTER APRIL 1,
4 1998.

5 26-202.

6 (a) Except as provided in subsection (b) of this section, an individual described
7 in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension
8 System as a condition of employment.

9 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
10 Enforcement Officers' Pension System is optional for an individual described in §
11 26-201 of this subtitle:

12 (i) who was employed by the Department of Natural Resources on
13 July 1, 1990 and who elects membership on or before December 31, 1997;

14 (ii) who was employed by the Maryland Investigative Services Unit
15 on June 30, 1995 and who elects membership on or before December 31, 1997;

16 (iii) who was employed by the Maryland Transportation Authority
17 on June 30, 1997 and who elects membership on or before December 31, 1997;

18 (iv) who was employed by the Baltimore City Sheriff's Department
19 on June 30, 1997 and who elects membership on or before December 31, 1997;

20 (v) who was employed by the University of Maryland Police Force
21 on June 30, 1999 and who elects membership on or before December 31, 1999;

22 (vi) who is employed by a participating governmental unit on the
23 effective date of participation on or after July 1, 1999 for that participating
24 governmental unit and who elects membership within 6 months of the effective date
25 of participation;

26 (vii) who was employed by the Maryland Port Administration Police
27 Force and was subsequently transferred to and employed by the Maryland
28 Transportation Authority Police Force on July 1, 1998 and who elects membership on
29 or before December 31, 1998;

30 (viii) who was employed by the office of the State Fire Marshal on
31 June 30, 1998 and who elects membership on or before December 31, 1998;

32 (ix) who was employed by the Morgan State University Police Force
33 on June 30, 1999 and who elects membership on or before December 31, 1999;

34 (x) who was employed by the BWI Airport Fire & Rescue
35 Department on June 30, 2000, and who elects membership on or before December 29,
36 2000; [or]

1 (xi) who was employed by the Department of General Services,
2 Department of Health and Mental Hygiene, Motor Vehicle Administration, and
3 Department of Labor, Licensing, and Regulation Police Force on June 30, 2000 and
4 who elects membership on or before December 29, 2000; OR

5 (XII) WHO WAS EMPLOYED BY THE MILITARY DEPARTMENT AS A
6 FIREFIGHTER AT MARTIN STATE AIRPORT ON JUNE 30, 2001, AND WHO ELECTS
7 MEMBERSHIP ON OR BEFORE DECEMBER 31, 2001.

8 (2) To elect to be a member of the Law Enforcement Officers' Pension
9 System, an individual shall file a written application with the State Retirement
10 Agency.

11 (3) If an individual does not elect membership during the applicable
12 period specified under paragraph (1) of this subsection, the individual may not
13 become a member of the Law Enforcement Officers' Pension System.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 ~~October~~ July 1, 2001.