
By: **Senator Collins**
Introduced and read first time: February 2, 2001
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

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

4 FOR the purpose of providing certain firefighters for the Martin State Airport who
5 are employed by the Military Department membership in the Law Enforcement
6 Officers' Pension System; and generally relating to pensions for firefighters for
7 the Martin State Airport who are employed by the Military Department.

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

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 26-201.

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

19 (1) an employee of the Department of Natural Resources commissioned
20 by the Secretary of Natural Resources as:

21 (i) a Natural Resources police officer; or

22 (ii) a law enforcement officer, other than a Natural Resources police
23 officer;

24 (2) a law enforcement officer employed by the Maryland Investigative
25 Services Unit;

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

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

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

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

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

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

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

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

18 (11) an employee of the Department of Health and Mental Hygiene
19 commissioned by the Secretary of Health and Mental Hygiene as a Health and Mental
20 Hygiene police officer;

21 (12) an employee of the Motor Vehicle Administration commissioned by
22 the Secretary of the Department of Transportation as a Motor Vehicle Administration
23 police officer; [or]

24 (13) an employee of the Department of Labor, Licensing, and Regulation
25 commissioned by the Secretary of Labor, Licensing, and Regulation as a Labor,
26 Licensing, and Regulation police officer; OR

27 (14) A FIREFIGHTER FOR THE MARTIN STATE AIRPORT EMPLOYED BY
28 THE MILITARY DEPARTMENT.

29 (b) This subtitle does not apply to:

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

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

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

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

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

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

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

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

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

23 (10) A FIREFIGHTER FOR THE MARTIN STATE AIRPORT EMPLOYED BY
24 THE MILITARY DEPARTMENT WHO TRANSFERRED FROM THE EMPLOYEES'
25 RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR AFTER APRIL 1,
26 1998.

27 26-202.

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

31 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
32 Enforcement Officers' Pension System is optional for an individual described in §
33 26-201 of this subtitle:

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

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

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

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

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

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

11 (vii) who was employed by the Maryland Port Administration Police
12 Force and was subsequently transferred to and employed by the Maryland
13 Transportation Authority Police Force on July 1, 1998 and who elects membership on
14 or before December 31, 1998;

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

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

19 (x) who was employed by the BWI Airport Fire & Rescue
20 Department on June 30, 2000, and who elects membership on or before December 29,
21 2000; [or]

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

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

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

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

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 July 1, 2001.