51r2094 CF 51r2450

By: Senators DeGrange, Della, Garagiola, Green, Klausmeier, Middleton, and Stone

Introduced and read first time: February 4, 2005 Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

Civilian Pilots of the Department of State Police - Military Service Credit

3 FOR the purpose of authorizing civilian pilots of the Department of State Police to

4 receive military service credit for certain service for which the member will

5 receive other retirement benefits; and generally relating to military service

6 credit for civilian pilots of the Department of State Police.

7 BY repealing and reenacting, with amendments,

8 Article - State Personnel and Pensions

9 Section 38-104

- 10 Annotated Code of Maryland
- 11 (2004 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

13 MARYLAND, That the Laws of Maryland read as follows:

14

Article - State Personnel and Pensions

15 38-104.

16 (a) Except as provided in subsection (b) of this section, a member of a State 17 system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of this 18 subtile, is entitled to receive service credit for military service only on the attainment

19 of 10 years of creditable service.

20 (b) (1) A member of a State system may not receive credit for that military 21 service if the member receives credit for military service from another retirement 22 system for which retirement benefits have been or will be received by the member.

23	(2)	Paragraph (1) of this subsection does not apply to:
----	-----	---

24 (i) credit for military service provided under:

25 1. the Social Security Act;

K4

2

UNOFFICIAL COPY OF SENATE BILL 532

1		2.	the National Railroad Retirement Act; or			
2 3 of the United States (Code; [or	3. ·]	Title 3 or Title 10, Chapter 1223, §§ 12731 through 12737			
4	(ii)	disabili	ty payments from a pension or retirement system; OR			
5 (III) A CIVILIAN PILOT WHO WAS HIRED TO OPERATE AN AIRCRAFT 6 BY THE DEPARTMENT OF STATE POLICE.						
7 (3) 8 years.	(i)	Militar	y service credit under this section may not exceed 5			
9 (ii) Subject to subparagraph (i) of this paragraph, a member of the 10 Maryland National Guard who has not been activated under Title 10 of the United 11 States Code, shall receive service credit at the rate of 4 months for each full year of 12 service with the Maryland National Guard, not to exceed a total of 36 months.						
13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect						

14 July 1, 2005.

2