
By: **Allegany County Delegation**

Introduced and read first time: January 18, 2006

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **City of Frostburg Employees - Participation in the Employees' Pension**
3 **System**

4 FOR the purpose of requiring certain employees of the City of Frostburg to participate
5 in the Employees' Pension System of the State of Maryland as of a certain date;
6 providing for certain employees of the City of Frostburg to receive service credit
7 for certain prior service; providing that certain employees of the City of
8 Frostburg who become members of the Employees' Pension System after a
9 certain date may not receive certain service credit; and generally relating to
10 employees of the City of Frostburg participating in the Employees' Pension
11 System.

12 BY repealing and reenacting, with amendments,
13 Article - State Personnel and Pensions
14 Section 23-201(a), 23-204, and 31-111
15 Annotated Code of Maryland
16 (2004 Replacement Volume and 2005 Supplement)

17 BY adding to
18 Article - State Personnel and Pensions
19 Section 31-111.3
20 Annotated Code of Maryland
21 (2004 Replacement Volume and 2005 Supplement)

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

24 **Article - State Personnel and Pensions**

25 23-201.

26 (a) Except as provided in subsection (b) of this section, §§ 23-203 through
27 23-205 of this subtitle apply only to:

- 1 (1) a regular employee whose compensation is provided by State
2 appropriation or paid from State funds;
- 3 (2) an appointed or elected official of the State, including:
- 4 (i) a clerk of the circuit court;
- 5 (ii) a register of wills;
- 6 (iii) a State's Attorney; and
- 7 (iv) a sheriff;
- 8 (3) an employee or official of a participating governmental unit who is
9 eligible to participate under Title 31, Subtitle 1 of this article;
- 10 (4) an employee of the Office of the Sheriff of Baltimore City;
- 11 (5) an additional employee or agent of the State Racing Commission
12 authorized by § 11-207 of the Business Regulation Article;
- 13 (6) a permanent employee of the board of supervisors of elections of a
14 county;
- 15 (7) a full-time master in chancery or in juvenile causes who is appointed
16 on or after July 1, 1989, in any county by the circuit court for that county;
- 17 (8) an employee of the Maryland Environmental Service who is a
18 member of the Employees' Pension System on June 30, 1993, or transfers from the
19 Employees' Retirement System on or after July 1, 1993;
- 20 (9) an employee of Dorchester County who is not a member of the
21 county's general pension and retirement program;
- 22 (10) a former Baltimore City jail employee who became an employee of the
23 Baltimore City Detention Center and a member of the Employees' Pension System on
24 July 1, 1991;
- 25 (11) a nonfaculty employee of the Baltimore City Community College who:
- 26 (i) is a member of the Employees' Pension System on October 1,
27 2002;
- 28 (ii) transfers from the Employees' Retirement System on or after
29 October 1, 2002;
- 30 (iii) transfers from the Teachers' Pension System in accordance with
31 § 23-202.1 of this subtitle; or
- 32 (iv) becomes an employee of the Baltimore City Community College
33 on or after October 1, 2002;

1 (12) a court reporter for the Circuit Court for Charles County who is a
2 member of the Employees' Pension System on July 1, 1994, or transfers from the
3 Employees' Retirement System on or after July 1, 1994;

4 (13) a staff employee of the University System of Maryland, Morgan State
5 University, or St. Mary's College who is:

6 (i) a member of the Employees' Pension System on January 1,
7 1998, or transfers from the Employees' Retirement System on or after January 1,
8 1998; or

9 (ii) a staff employee of the University System of Maryland, Morgan
10 State University, or St. Mary's College who becomes an employee on or after January
11 1, 1998;

12 (14) on or after the date that the Board of Education of Kent County
13 begins participation in the Employees' Pension System, a supportive service employee
14 of the Board of Education of Kent County; [and]

15 (15) an employee of the Town of Oakland on or after the date that the
16 Town of Oakland begins participation in the Employees' Pension System; AND

17 (16) AN EMPLOYEE OF THE CITY OF FROSTBURG ON OR AFTER THE DATE
18 THAT THE CITY OF FROSTBURG BEGINS PARTICIPATION IN THE EMPLOYEES'
19 PENSION SYSTEM.

20 23-204.

21 (a) (1) This section applies to an individual who on June 30, 2004, receives
22 an annual salary and who is:

23 (i) an elected or appointed official;

24 (ii) an employee of the Governor's office;

25 (iii) an employee of the Senate or House of Delegates;

26 (iv) a member of the Prince George's County Board of License
27 Commissioners; or

28 (v) an employee of Dorchester County who is not a member of the
29 county's general pension and retirement program.

30 (2) Membership in the Employees' Pension System is optional for an
31 individual under paragraph (1) of this subsection while the individual remains
32 employed in the position the individual held on June 30, 2004.

33 (b) (1) (i) Except as provided in paragraph (2) of this subsection, this
34 subsection applies only to the employees of a participating governmental unit who:

