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Education, Energy, and
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Executive Nominations Committee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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The Senate Budget and Taxation Pensions Subcommittee
SB 65 – State Retirement and Pension System – Transfer of Service
Statement of Support by Bill Sponsor Senator Mary Beth Carozza

Thank you Chair Hettleman and members of the distinguished Pensions Subcommittee for this opportunity to present Senate Bill 65 – State Retirement and Pension System – Transfers of Service.

This narrowly-focused bill would allow a former member of the Local Fire and Police Retirement System (LFPRS) who is an active member of the State Police Retirement System (SPRS) and incurred a break in service to transfer his service from the LFPRS to the SRPS. There is no fiscal impact.

Only one individual, Corporal Jason Dykes with the Maryland State Police, is eligible for SB 65. This individual served for 10 years at a municipal police department and during that time contributed to LFPRS, which no longer exists. The individual then served one year at a county sheriff's department which is not under the State Retirement System, before serving 19 years with the Maryland State Police where he continues to contribute to the SRPS.

The State Retirement and Pension System considers his service at the county law enforcement level to be a break in service, thereby SRPS has denied a buy back option for the almost decade of service at the municipal police department.

In 2005, when this individual was hired by the Maryland State Police, he was not informed that his county law enforcement service was considered a break in service and was not given information from either MSP or the State Retirement System about his options to buy back his municipal law enforcement service for the transfer to his State Police Retirement Service.

In 2012, this law enforcement officer first looked into purchasing his municipal time to apply to his State Police Retirement Service. For over 12 years, this law enforcement officer has been attempting through non-legislative means to rectify the situation. He has worked with staff from the State Retirement and Pension System, received representation from the Maryland Troopers Association, requested a hearing with the State Retirement and Pension System Board, and

appealed that hearing's decision. He was unable to personally present his appeal as he was attending the funeral of Corporal Glenn Hilliard (Wicomico County Sheriff's Office), a fallen law enforcement officer who was killed in the line of duty. However, his representative from the Maryland Troopers Association informed him that the former Comptroller, who was chair of the State Retirement and Pension System at the time, advised pursuing legislation to address this specific matter.

Last year, the State Retirement and Pension System opposed this bill and noted that this bill "would open the door to any individual who had more than a 30-day break in service between membership with State or local retirement or pension systems."

However, the fiscal note states that "SRA is aware of one individual who is definitively eligible for a transfer of service under this bill. Accordingly, the bill has limited applicability. Even though another 30 active members of LFPS may likewise be eligible, they must already be (or become) members of SRPS after a break-in service and request the transfer of credit before the bill's December 31, 2024 termination date." This year's bill also would have a December 31, 2025 termination date.

I would also like to address another point brought up in the State Retirement's opposition testimony. It states that "this Committee has taken the position that legislation of this nature should demonstrate that some mistake by the State or the Agency occurred that now needs to be remedied... the Agency could find no evidence of any mistake or misinformation that was provided to the member by the State or the Agency."

I respectfully ask this Subcommittee to consider that omission, or the failure to provide information to the affected individual, contributed to my constituent's current predicament. In his follow-up letter to this Committee on March 13, 2024, my constituent states "the SRPS does not willingly provide information regarding the employees' rights and steps they may take after being initially denied."

My constituent was not only not informed about transferring his service at the outset, but through every step of the process since 2012, virtually everything he has learned through this process has been a result of his own due diligence. Virtually none of the information he has obtained about the initial ability to transfer his service and about the appeals process has been provided by SRPS.

As noted by SRA and in the fiscal note, only one law enforcement officer would be eligible for this transfer of service bill. Please consider how this individual has served Maryland honorably as a law enforcement professional for 30 years and continues to do so today. In 2023 he was awarded the Superintendent's Citation and received the 2022 Noncommissioned Officer of the Year. He was previously nominated for Trooper of the Year in 2014 and in 2006, as well as

being nominated for the 2006 Medal of Honor through the Maryland Chiefs of Police Association.

He has served in numerous roles from a road patrol officer to an officer on the fugitive warrant unit, a mounted patrol officer, a detective, an undercover narcotics investigator and a current member of the Maryland State Police Digital Forensic Lab. This law enforcement officer often goes above and beyond the call of duty to help our community. He is an exemplary officer and often puts his own needs on hold to support others.

The fiscal note highlights that the legislation “has no discernible effect on State pension liabilities or contribution rates. No effect on revenues.”

My constituent has been working for years with the State Retirement and Pension System and others to resolve this situation. I am sponsoring this bill as I understand that it would take legislation to address the transfer of service challenge that has been facing my constituent for the past several years.

However, if this subcommittee and the SRA believe that my constituent’s situation could be resolved by non-legislative means, I respectfully would ask the SRA to move forward with an immediate and non-cost prohibitive option for my constituent.

In the absence of a non-legislative solution to this law enforcement officer’s transfer of service from the LFPS to the State Police Retirement System, I respectfully request a favorable report on SB 65.

I thank you for your kind attention and consideration, and I respectfully request a favorable and very swift report on SB 65.