

(2) All persons who are teachers on the date as of which the retirement system is established, including those who are on the "waiting list" and eligible for retirement, and who are not beneficiaries of any other retirement system, except those specifically excluded under Sub-section (3) of this Section, shall become members as of that date unless within a period of thirty days next following, any such teacher shall file with the Board of Trustees on a form prescribed by such Board a notice of his election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which would otherwise inure to him on account of his participation in the retirement system.

(3) Teachers who are members and those who under the existing law are entitled to become members of any fund operated for the retirement of teachers by a city, county or other political subdivision of the State of Maryland shall not be entitled to membership in this retirement system unless on or before a date not more than one year next following the establishment of this retirement system a majority of the members of such fund shall indicate by a notice filed with the Board of Trustees on a form prescribed by the Board that they vote to have the privilege to participate in this retirement system. Should a majority of the members of any such fund so vote, then the Board of Trustees of this retirement system shall announce by a notice duly filed with the persons in charge of the administration of such fund, that on and after a certain date to be set by the Board of Trustees of this retirement system not more than thirty days next succeeding the date of the majority vote, but not prior to the date this system is established, all members of that fund shall be eligible to participate in this retirement system. All members of said fund shall then become members of this system on such date, unless within thirty days next succeeding they shall elect not to become members. All new teachers in said city or county shall thereafter become members of this system as a condition of their employment. Any teacher eligible to participate who shall elect not to become a member of this system shall file with the Board of Trustees on the form prescribed by the Board an election not to be covered in the membership of the system and a duly executed waiver of all present and prospective benefits which otherwise would inure to him on account of his participation in the retirement system.

If the majority of the members of a retirement or pension fund do vote to enter this retirement system as described above, the local fund shall be discontinued within thirty days next succeeding the date of the majority vote, but not prior to the establishment of this retirement system, the payment of all pensions to members on the pension roll as of the date of discontinuance shall become an obligation of the city or county in which the fund was operated and shall be continued and paid by such city or county. The moneys and securities of the fund, not exceeding the present value of the payments to be made on account of all pensions to the pensioners on the rolls of the fund as of the date of discontinuance shall be transferred to the said city or county as an offset to the payments required for the existing pension roll; and the amount of the excess of the moneys and securities of the fund over and above the present value of the payments to be made on account of all pensions to pensioners shall be distributable among the active members of the fund at the time of its discontinuance in proportion to the respective contributions which they had previously made to the fund, provided that no member shall receive more than his accumulated contributions. If the distributable funds are more than sufficient to provide each