

(23) The masculine pronoun, wherever used, shall include the feminine pronoun.

2. *Name and Date of Establishment.* A retirement system is hereby established and placed under the management of the Board of Trustees for the purpose of providing retirement allowances and other benefits under the provisions of this Article, for employees of the State of Maryland. The retirement system so created shall be established as of October first, nineteen hundred and forty-one. It shall have the powers and privileges of a corporation, and shall be known as the "Employees' Retirement System of the State of Maryland", and by such name all of its business shall be transacted, all of its funds invested, and all of its cash and securities and other property held in trust for the purpose for which received.

3. *Membership.* The membership of the retirement system shall consist of the following:

1. Any person who shall become an employee as herein defined after the date of establishment shall become a member of the retirement system as a condition of employment, and shall not be entitled to receive any pension or retirement allowance from any other pension or retirement system supported wholly or in part by the State of Maryland, anything to the contrary notwithstanding.

(2) Any person who is an employee on the date of establishment, except any person specifically excluded under Sub-section (3) of this section, shall become a member as of that date, unless within a period of thirty days next following such employee shall file with the Board of Trustees on a form prescribed by the 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) Persons who are employees as herein defined on the date of establishment and who are covered by any existing law providing for the retirement of employees wholly or in part at the expense of the State, shall be entitled to membership in this retirement system, and may become members by filing with the Board of Trustees on a form prescribed by the Board a duly executed waiver of all benefits which might inure to them under the provisions of the laws under which they are covered.

(4) Any employee who elects under Sub-section (2) of this Section not to become a member, may thereafter apply for and be admitted to membership; but no such employee shall receive prior service credit unless he becomes a member within the first year following the date of establishment.