

(c) "Employee" does not include:

(ii) Any judge as defined in §§ 55 through 65 of this [subtitle] ARTICLE;

(iv) Any correctional officer as defined in §§ 11(20) and 156 of this [subtitle] ARTICLE;

(14) "Average final compensation" means the average annual earnable compensation of a member during any 3 consecutive years that provide the highest average earnable compensation. However, if the earnable compensation earned in a year included in the period used to determine average final compensation exceeds that of the average of the previous 2 years' compensation by more than 20 percent, the amount in excess of 20 percent may not be included in the computation of average final compensation[, if]. IF, in any period included in the computation of average final compensation, the employee has completed less than the normal number of hours for a full-time employee similarly employed, his earnable compensation for this period shall be adjusted to a full-time basis for the purposes of this compensation. If the period used to determine final average compensation is the period that immediately precedes the date of retirement, any month or months (not in excess of 12) that otherwise would be included in computing average final compensation but during which the member was on authorized leave of absence at partial pay or without pay may not be included in the computation of average final compensation and the month or an equal number of months immediately preceding this period shall be substituted instead.

119.

(1) The general administration and responsibility for the proper operation of this pension system and for making this subtitle effective are vested in the board of trustees created under § 12 of this [subtitle] ARTICLE. The board has the powers and duties set forth in this section.

137.

Notwithstanding any other provision in this subtitle, if any officer or employee of a participating municipal corporation, while he is a member of this Pension System for Employees of the State, vacates his position because of the termination of his tenure by act of the General Assembly or because his job or position is abolished by act of the legislative body of the participating municipal corporation after the person has 20 years of creditable service, regardless of age, HE may elect to receive the allowance for service retirement instead of withdrawing his accumulated contributions. The board of trustees shall include any additional amount required to pay the pension in the amount certified to the chief fiscal officer of the participating