

(3) AN INDIVIDUAL WHO IS EMPLOYED UNDER A FEDERAL PUBLIC SERVICE EMPLOYMENT PROGRAM;

(4) AN ASSESSOR WHO IS A MEMBER OF A RETIREMENT OR PENSION SYSTEM OPERATED BY A POLITICAL SUBDIVISION OF THE STATE;

(5) AN EMPLOYEE OF A BOARD OF SUPERVISORS OF ELECTIONS WHO CHOSE TO STAY IN A LOCAL MERIT SYSTEM UNDER ARTICLE 33, § 2-6 OF THE CODE; OR

(6) A NONCLERICAL OR NONPROFESSIONAL EMPLOYEE OF THE BALTIMORE CITY COMMUNITY COLLEGE WHO:

(I) WAS AN EMPLOYEE OF THE NEW COMMUNITY COLLEGE OF BALTIMORE DURING THE 1989-1990 ACADEMIC YEAR;

(II) WAS EMPLOYED BY THE NEW COMMUNITY COLLEGE OF BALTIMORE ON OR BEFORE DECEMBER 31, 1990, AS A "CLASS A" MEMBER OF THE BALTIMORE CITY RETIREMENT PLAN; AND

(III) ELECTED TO REMAIN A MEMBER OF THE BALTIMORE CITY RETIREMENT PLAN.

REVISOR'S NOTE: Subsections (a) and (b)(1) through (3), (5), and (6) of this section are new language derived without substantive change from former Art. 73B, §§ 3-506(c)(1), 4-101(e)(1), (2), and (3)(i), (iii), and (iv), 4-201(f)(1) and the first sentence of (g) and, as they related to membership in the Employees' Pension System, §§ 1-507(a) and the first sentence of (c), 3-506(a)(1) and (c)(4)(i), the first sentence of 4-201(e), 10-101(c), the first sentence of 10-102(a), and 10-108.

Subsection (b)(4) of this section is new language added to clarify that an assessor who elected to be a member of a local retirement or pension system is excluded from the Employees' Pension System since those assessors were excluded from membership in the Employees' Retirement System under former Art. 73B, § 2-101(e)(2)(iv).

This section is set forth as a scope provision instead of a definition since the definitions of "employee" in former Art. 73B, §§ 4-101(e) and 10-101(c) served as scope provisions. Also, the former definitions of "employee" included officials, who are not always considered "employees".

In subsection (a)(1) of this section, the reference to an "officer" of the State is deleted as unnecessary in light of the broad reference to "an appointed or elected official of the State" in subsection (a)(2).

Also in subsection (a)(1) of this section, the reference to a "regular employee" is substituted for the former reference to a "regular classified or unclassified officer or employee" as a result of changes in related definitions and scope provisions in Division I.