

In item (2) of this section, the former reference to the "Employees' Retirement System" is deleted as obsolete because on January 1, 1980, the Employees' Retirement System became closed to further participation by eligible governmental units.

Also in item (2) of this section, the former reference to the application of "this subtitle" is deleted as unnecessary; implicit in this subtitle is its application to those eligible governmental units that elect to participate.

In item (2)(ii) of this section, the phrase "at least" is added to modify "60%", for clarity.

Also in item (2)(ii) of this section, the reference to the "sign[ing]" of the petition "by these members" is deleted as included in the reference to "petition[ing]".

Defined terms: "Eligible governmental unit" § 31-101

"Employee" § 31-101

"Employees' Pension System" § 20-101

"Legislative body" § 31-101

"Local pension system" § 31-101

"Member" § 20-101

#### 31-109. MEMBERSHIP IN EMPLOYEES' RETIREMENT SYSTEM.

AN EMPLOYEE WHO IS A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM MAY:

- (1) REMAIN A MEMBER OF THE EMPLOYEES' RETIREMENT SYSTEM; OR
- (2) TRANSFER TO THE EMPLOYEES' PENSION SYSTEM.

REVISOR'S NOTE: This section is new language derived without substantive change from the second and third sentences of former Art. 73B, § 10-102(a).

The reference to "entitle[ment] to all the benefits ... as though they were State employees" is deleted as unnecessary in light of § 31-111 of this subtitle to the same effect.

The reference to an employee who may "transfer to the Employees' Pension System" is substituted for the former reference to employees who are "eligible to participate in the Pension System for Employees" to clarify that those employees who are members of the Employees' Retirement System may only participate in the Employees' Pension System by transferring membership.

Defined terms: "Employee" § 31-101

"Employees' Pension System" § 20-101

"Employees' Retirement System" § 20-101

"Member" § 20-101.

#### 31-110. CREDIT FOR SERVICE BEFORE THE EFFECTIVE DATE.

(A) IN GENERAL.