

TITLE 32. RESERVED.

TITLE 33. RESERVED.

TITLE 34. RESERVED.

GENERAL REVISOR'S NOTE TO DIVISION II.

This Division II, which is the second of three major divisions of the State Personnel and Pensions Article, revises the general laws that govern the State Retirement and Pension System. Division III revises the general laws that relate to other retirement and pension benefits. Division I, which was enacted as Chapter 10 of the Acts of 1993, revised the general laws that related to State personnel.

The Department of Legislative Reference is charged with revising the law in a clear, concise, and organized manner, without changing the effect of the law. One precept of revision has been that, once something is said, it should be said in the same way every time. To that end the State Personnel and Pensions Article Review Committee has conformed the language and organization of Divisions II and III of the State Personnel and Pensions Article to that of the previously revised articles to the extent possible.

In this Division II, as in other revised articles, the term "unit" is substituted for former references to, for example, a "department", "agency", "board", or "commission", except when a former reference indicated a specific entity or type of entity. The term "unit" is used as the general term for an organizational entity in State government because the term is generic enough to include all such entities.

Also, in this Division II, the word "regulation" is substituted for former references to "rules and regulations" to distinguish, to the extent possible, between regulations of executive units and rules of judicial or legislative units, and to establish consistency in the use of these words. This substitution conforms to the practice of the Division of State Documents.

Also, in this Division II, references to the "Board of Trustees" are added for clarity in provisions in which it is not clear who is responsible or who has the authority to perform a certain act because, under § 21-108 of this article, the Board of Trustees is vested with the "responsibility for the management, general administration, and proper operation of the several systems".

Also, in this Division II, the defined term "eligibility service" is substituted for former references to "creditable service" in provisions in which the term is used to refer to service credit that is recognized for determining eligibility for a benefit. The defined term "creditable service" is used in this Division II to refer to service credit that is recognized for computing a benefit. Although the term "eligibility service" was not used previously in connection with the retirement systems (the Correctional Officers' Retirement System, the Employees' Retirement System, the State Police Retirement System, and the Teachers' Retirement System), provisions have been added since the establishment of these systems that distinguish between the types of service credit that are to be recognized for eligibility for a benefit and the types of service credit that are to be recognized for computing a benefit, e.g., credit for unused sick leave. In addition, since the pension systems (the Employees' Pension System, the Local Fire and Police System,