

REVISOR'S NOTE: Subsections (a) and (c) of this section are new language derived without substantive change from former Art. 73C, § 2(d)(2), (7), and (8), and (e) through (g).

Subsection (b) of this section is standard language added to reflect that, under SF § 10-203, the Board of Public Works has adopted regulations for reimbursement of expenses. See COMAR 23.02.01.01 through .12.

In subsection (a) of this section, the phrase "at the times and places it determines" is standard language added to clarify that the Board shall determine the time and place of its meetings.

In subsection (c)(4)(ii) of this section, the phrase "specified in subparagraph (i) of this paragraph" is added to clarify the meaning of the word "expenses".

As to paragraph (c)(4)(ii) of this section, the State Personnel and Pensions Article Review Committee notes, for consideration by the General Assembly, that the reference to paying a "proportionate share" of expenses of the plans is ambiguous in that the proportion could be based on the assets of the plans, contributions to the plans, or on some other basis. The General Assembly may wish to clarify this provision by specifying how the "proportionate share" is to be calculated.

Defined terms: "Board" § 35-101

"Supplemental retirement plans" § 35-101

35-205. DUTIES OF THE BOARD.

(A) IN GENERAL.

THE BOARD SHALL:

(1) IMPLEMENT, MAINTAIN, AND ADMINISTER THE SUPPLEMENTAL RETIREMENT PLANS;

(2) SUBMIT PROGRESS AND STATUS REPORTS TO PARTICIPANTS IN THE SUPPLEMENTAL RETIREMENT PLANS; AND

(3) SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY.

(B) DETERMINING ELIGIBILITY IN CASES OF DOUBT.

IN CASE OF DOUBT AS TO WHETHER AN INDIVIDUAL IS ELIGIBLE TO PARTICIPATE IN ANY OF THE SUPPLEMENTAL RETIREMENT PLANS, THE BOARD SHALL DETERMINE THE INDIVIDUAL'S ELIGIBILITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73C, § 2(a), § 2(d)(1), (3), and (5), and the fourth sentence of § 5(a).

Subsection (b) of this section is revised to apply to all plans, rather than to only the deferred compensation plan, to reflect the Board's authority.