

~~(2) (I) [For] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR an absence for military service on or after January 1, 1946, service credit for the military service may not exceed 5 years.~~

~~(II) FOR MILITARY SERVICE WITH THE MARYLAND NATIONAL GUARD, A MEMBER SHALL RECEIVE SERVICE CREDIT AT THE RATE OF 4 MONTHS FOR EACH FULL YEAR OF SERVICE WITH THE MARYLAND NATIONAL GUARD, NOT TO EXCEED A TOTAL OF 36 MONTHS.~~

38-104.

(a) Except as provided in subsection (b) of this section, a member of a State system, who has not met the conditions set forth in § 38-103(a)(2) through (4) of this subtitle, is entitled to receive service credit for military service only on the attainment of 10 years of creditable service.

(b) (1) A member of a State system may not receive credit for that military service if the member receives credit for military service from another retirement system for which retirement benefits have been or will be received by the member.

(2) Paragraph (1) of this subsection does not apply to:

(i) credit for military service provided under:

1. the Social Security Act;
2. the National Railroad Retirement Act; or
3. Title 3 or Title 10, Chapter 67, §§ 1331 through 1337 of the

United States Code; or

(ii) disability payments from a pension or retirement system.

~~(3) (I) [Military] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, MILITARY service credit under this section may not exceed 5 years.~~

~~(II) SUBJECT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH, FOR MILITARY SERVICE WITH THE MARYLAND NATIONAL GUARD, A MEMBER SHALL RECEIVE SERVICE CREDIT AT THE RATE OF 4 MONTHS FOR EACH FULL YEAR OF SERVICE WITH THE MARYLAND NATIONAL GUARD, NOT TO EXCEED A TOTAL OF 36 MONTHS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2000.

May 18, 2000

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis MD 21401

Dear Mr. President: