

38.

(a) With respect to employees of the State the Governor is empowered to authorize a referendum, and with respect to the employees of any political subdivision he shall authorize a referendum upon request of the governing body of such subdivision; and in either case the referendum shall be conducted, and the Governor shall designate an agency or individual to supervise its conduct, in accordance with the requirements of § 218 (d) (3) of the Social Security Act, on the question of whether service in positions covered by a retirement system established by the State or by a political subdivision thereof should be excluded from or included under an agreement under this subtitle. The notice of referendum required by § 218 (d) (3) (C) of the Social Security Act to be given to employees shall contain or shall be accompanied by a statement, in such form and such detail as to inform the employees of the rights which will accrue to them and their dependents and survivors, and the liabilities to which they will be subject, if their services are included under an agreement under this subtitle.

(b) The boards of trustees of the retirement systems of the State of Maryland are respectively authorized and empowered to make rules and regulations with respect to such systems, or any of them, as to (1) the qualifications of the persons who shall be entitled to vote in the referendum; (2) the number of votes required to constitute favorable approval of the question or questions submitted in said referendum, provided that such number shall not be fixed at less than a majority of the persons entitled to vote; and (3) limitations on frequency of referenda in the same retirement system. Such rules and regulations shall not become effective until there shall have been full compliance with the provisions of §§ 10-106 and 10-107 of the State Government Article.

(c) Upon receiving evidence satisfactory to him that with respect to any such referendum the conditions specified in § 218 (d) (3) of the Social Security Act have been met, the chief of the division of social security in the Employees' Retirement System shall so certify to the Secretary of Health, Education and Welfare.

(d) The cost of any referendum involving State employees in the State Employees' Retirement System, the Teachers' Retirement System or the State Police Retirement System, shall be met by the particular retirement system; the cost of any referendum involving the employees of a political subdivision of the State shall be met by that political subdivision.

39.

The extended coverage of State and local public employees under the federal old age and survivors insurance system as provided for in this subtitle is declared to be retroactive to January 1, 1955, if the specific plan which is formulated in any instance for the extension of coverage so provides.

40.

For purposes of referendum and of effecting the coverage of federal old age and survivors insurance, the State of Maryland is declared to have the option of treating the State Employees' Retirement System as if it were divided into separate retirement systems, one being applicable to employees of the State of Maryland and the other or