

subparagraph (i) of this paragraph until the individual ceases employment with the participating governmental unit that was employing the individual on June 30, 2004.

~~(2)~~ (3) Membership in the Employees' Pension System is not optional for individuals who are:

- (i) supportive service employees of the Board of Education of Kent County;
- (ii) employees of the Town of Oakland; ~~for~~
- (iii) employees of the City of Frostburg; ~~OR~~
- ~~(iv) EMPLOYEES OF THE TOWN OF BERWYN HEIGHTS.~~

(E) (1) THIS SUBSECTION APPLIES ONLY TO AN INDIVIDUAL WHO IS AN EMPLOYEE OF THE TOWN OF BERWYN HEIGHTS ON JUNE 30, 2008.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, MEMBERSHIP IN THE EMPLOYEES' PENSION SYSTEM IS OPTIONAL FOR AN INDIVIDUAL DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION WHO ELECTS MEMBERSHIP ON JULY 1, 2008.

(3) TO ELECT TO BE A MEMBER OF THE EMPLOYEES' PENSION SYSTEM, AN INDIVIDUAL SHALL FILE A WRITTEN APPLICATION WITH THE BOARD OF TRUSTEES ON A FORM THAT THE BOARD OF TRUSTEES PROVIDES.

~~(4) IF AN INDIVIDUAL DOES NOT ELECT MEMBERSHIP AS PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE INDIVIDUAL MAY NOT BECOME A MEMBER OF THE EMPLOYEES' PENSION SYSTEM.~~

31-111.

(a) Except as provided in subsection (b) of this section and [§§ 31-111.1 and 31-111.3] §§ 31-111.1, 31-111.3, AND 31-111.4 of this subtitle, if an employee of a participating governmental unit joins the Employees' Pension System within 1 year after the effective date, the employee is entitled to service credit for employment with the participating governmental unit before the effective date.

(b) If an employee of the Baltimore Metropolitan Council elects to become a member of the Employees' Retirement System or the Employees' Pension System, the employee may not receive credit for service from July 1, 1992, to the effective date unless the employee pays to the Board of Trustees the amount of the member contributions the employee would have made during that period, plus regular interest.