October 28, 2020

The Honorable President and Members

 of the Baltimore City Council

Attn: Natawna B. Austin, Executive Secretary

Room 409, City Hall

100 N. Holliday Street

Baltimore, Maryland 21202

 REVISED

Re: City Council Bill 20-0603- Retirement Saving Plan - Clarifications

Dear Madame President and City Council Members:

The Law Department has reviewed City Council Bill 20-0603 for form and legal sufficiency. This bill clarifies several provisions of the ESP law in order to clarify and update to sync with current practice.

The first set of changes is to the definitions. These are not substantive changes and will serve to conform the law with current practice. Notably, the definition of employee was changed to include certain employees of the Enoch Pratt Free Library. Library employees have been eligible for membership for whom retirement benefits through the City have historically been provided. The definition also clarifies that the employees to the BMA and the Walters are not eligible to become members of the City’s retirement systems.

Several amendments pertain to the Board’s composition and operation. These amendments give the Board 13 members who all have voting privilege. The Director of the ERS is no longer a voting member and President designated representatives from AFSCME, CUB and MAPS. The Mayor now has two appointee and the Council President has one appointment.

The Bill also changes the date for commencement of service in order for the employer and employee contributions to coincide. With respect to service-related requirements, the bill clarifies the definition and the application of previous service time and how transfers from other connected retirement systems will work. The bill also updates sections pertaining to contributions, employer compensation, rollovers and failure to designate a beneficiary.

The Law Department has no objections to the bill and approves the bill for form and legal sufficiency.

Sincerely,



Elena R. DiPietro

Chief Solicitor

cc: Dana Moore, City Solicitor

 Matthew Stegman, Mayor’s Office of Government Relations

 Caylin Young, President’s Legislative Director

 Dominic McAlily

 Nina Themelis, MOGR

 Hilary Ruley, Chief Solicitor

 Victor Tervala, Chief Solicitor

 Ashlea Brown, Assistant Solicitor

 Avery Aisenstark