

Mr. Bernard L. Crozier, Chief Engineer (cont'd)

bidding, since it would clearly evidence the intention of both the City and the Government authorities to the contrary.

Very truly yours,

(signed) R. E. LEE MARSHALL

City Solicitor

RELM/H

November 30th, 1936

R. E. Lee Marshall, Esq.
City Solicitor

Dear Mr. Marshall:

The Board of Trustees of the Employees Retirement System has requested an opinion as to its right to authorize a refund to a member of the Pension System whose contributions to said System have been in excess of the amount required to be contributed.

The particular employee at the time he became a member of the System was required to contribute 4.41 per centum of his annual earnable compensation in order to provide the annuity which it is estimated would be payable to him upon retirement. For the year 1934 this particular employee's annual earnable compensation was \$3,750.00, and his contribution on the rate established should have been \$165.36. His earnable compensation for the year 1935 was the same, requiring the same amount of contribution, and his earnable compensation for the year 1936 was \$4,050.00, requiring a contribution of \$178.61. As a matter of fact, this particular employee contributed during 1934 \$220.80, during 1935 \$282.77, and during 1936 \$326.12.

In 1934 the particular employee in question notified the Employees Retirement System that he desired to increase his contribution, whereupon the matter was referred to Mr. George B. Buck, the Actuary for the Retirement System, who on February 7th, 1934, notified the Retirement System that the employee's rate of contribution could be increased from 4.41 per centum to 4.95 per centum, but that it could not be further increased by reason of Section 8, Sub-section 1(d) of Article 30 of the Baltimore City Code, 1927, (Pension Ordinance), which provides in part as follows: