

ers' Retirement System," that Section 53(7)(b) of Article 88B of said Code (1964 1969 Replacement Volume), title "State Police," subtitle "State Police Retirement System," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 73B.

11.

(8) Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three-year period thereafter, the board of trustees may, and upon his application shall, require any disability beneficiary who has not yet attained the age of 60 to undergo a medical examination, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon, by a physician or physicians designated by the board of trustees. Should any disability beneficiary who has not yet attained the age of 60 refuse to submit to such medical examination, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his pension may be revoked by the board of trustees:

(a) Should the medical board report and certify to the board of trustees that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation and should the board of trustees concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall equal the amount of his average final compensation. Should his earning capacity be later changed, the amount of his pension may be further modified, provided that the new pension shall not exceed the amount of the pension originally granted nor an amount which, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation. A beneficiary restored to active service at a salary less than the average final compensation upon the basis of which he was retired shall not become a member of the retirement system until his salary is at least equal to such average final compensation. For the purposes of this paragraph, "retirement allowance" shall mean the allowance payable without optional modification as hereinafter provided in subsection (11) of this section. *The allowed earnings of a disability pensioner shall be determined by the difference between his retirement allowance at the time of his retirement and his average final compensation.*

(13) ANY PERSON WHO IS OR MAY HEREAFTER BE APPOINTED OR ELECTED TO MEMBERSHIP IN THE GENERAL ASSEMBLY MAY ELECT TO CONTRIBUTE FIFTEEN PERCENT (15%) OF HIS COMPENSATION ON AND AFTER JULY 1, 1966, AND, IN SUCH EVENT, SHALL BECOME A MEMBER OR CONTINUE AS A MEMBER OF THE RETIREMENT SYSTEM AND BE ELIGIBLE TO RECEIVE THE BENEFITS ENUMERATED IN THIS SUBSECTION ON ACCOUNT OF HIS SERVICE IN THE GENERAL ASSEMBLY. ANYTHING IN THIS ARTICLE TO THE CONTRARY NOTWITHSTANDING, THE BENEFITS PAYABLE TO A MEMBER UNDER THIS SUBSECTION SHALL BE IN LIEU OF ANY AND ALL PENSION BENEFITS