

Enacted December 9, 1969

Effective December 7, 1970

October Legislative Session 1969

Chapter 45

(Bill No. 49-69)

An Act to amend Chapter 18, title "Police", of the Montgomery County Code 1965, as amended, by repealing and re-enacting, with amendments, Section 18-12, title "Recall of retired policemen in emergencies, subsection (a) of Section 18-16, title "Generally", and subsections (a), (c) and (d) of Section 18-17, title "Benefits generally"; title II, title "Special Taxing Area Laws", Subtitle I, title "Fire Tax Areas", Chapter 27, title "In General", by repealing and re-enacting, with amendments, Section 27-3, title "Authority of Council to provide for disability and death benefits for fire departments and rescue squads", to authorize the County Executive to recall retired policemen in the event of specified emergencies; to provide for the County Executive depositing the monies of the Police Relief and Retirement Fund with the approved funding agent of the Employee's Retirement System of Montgomery County; to authorize the County Executive to extend the active service of members of the county police age 65 who request such extensions; to authorize the County Executive to apply for the retirement of police officers who due to disease, illness or injury are unable to perform police duty, and to provide recommendation and advice on the retirement of such police officers, and to rescind as obsolete the Council's authority to appoint a board to conduct hearings in connection with benefits granted by the Council to members of fire departments and rescue squads.

Be it enacted by the County Council for Montgomery County, Maryland, that—

Section 1. Section 18-12, Chapter 18, title "Police", of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows:

18-12. Recall of retired policemen in emergencies.

Any retired member of the county police receiving benefits under the provisions of this chapter may in the time of flood, riot, conflagration, extraordinary assemblages, or unusual emergencies, or anticipated unusual emergencies, be recalled by the county executive into the service of such police from which he was retired with benefits, for such duty as his age or disability will permit him to perform; and each member of the county police so recalled shall, during the period of such service, receive a rate of compensation which would be the equivalent of the rank and pay steps thereof, to which he was assigned at the time of his original retirement, but shall be in lieu of his retirement benefits for the same period of time; provided, that the police officers who have retired in good standing on service retirement after completing at least twenty-five years of service, at fifty percent of the annual salary received by such member at the time of his retirement, shall be entitled to earn toward retirement while on recall duty an additional two percentum per annum of the salary he was receiving at the time of his original retirement for each additional full year served on recall duty; provided, that in no case shall such member of the county police be entitled to receive in excess of a total