

of sixty percentum of the salary which he was receiving at the date of his original retirement. The county personnel board, subject to the approval of the council, shall have power to enforce compliance with the provisions hereof by withholding the payment of benefits; but nothing contained in this section shall be construed to enforce residence in the county upon any retired member of such police. Any retired member of the Montgomery County police department receiving benefits who is recalled shall be entitled to receive reimbursement for his actual necessary transportation expenses to and from Montgomery County in the event that his residence at the time of such recall is located more than one hundred miles distant from the geographical confines of the county.

Section 2. Subsection (a) of Section 18-16, Chapter 18, title "Police", of the Montgomery County Code 1965, as amended, is hereby repealed and re-enacted, with amendments, to read as follows:

18-16. Generally.

(a) There is hereby created a fund designated and known as the police relief and retirement fund of the county. With the recommendation of the County Personnel Board and approval of the County Council, the County Executive may pay all or any part of the monies of the Police Relief and Retirement Fund to the approved funding agent of the Employees' Retirement System of Montgomery County established under the provisions of Section 2-33A, "Employees' Retirement System; Authority to Adopt" of Chapter II of the Montgomery County Code 1960, titled "Administration". Payment of benefits from the fund may only be made at the direction of the County Personnel Board. Such fund shall consist of the following:

(1) All fines imposed by the County Personnel Board upon members of the County police by way of discipline;

(2) All rewards, proceeds of gifts, and emoluments that may be received by any member of such police for extraordinary services, except such part thereof as the County Council may allow to be retained by such member;

(3) Donations and net proceeds of sales of unclaimed property in the custody of the police;

(4) The following deductions from the pay of each member of such police, exclusive of overtime pay, which deductions shall be at least matched by an equal amount of money out of the general funds of the County which shall be credited to such police Relief and Retirement Fund, which shall become a part of the total fund of the Employees' Retirement System of Montgomery County: three and one-half percent of the monthly salary beginning July 1, 1955; four and one-half percent of the monthly salary beginning July 1, 1956; five percent of the monthly salary beginning July 1, 1957; six and one-half percent of the monthly salary beginning July 1, 1960, of each member appointed or reappointed after July 1, 1960 and for each employee appointed or reappointed during the period of July 1, 1955, through June 30, 1960, who elects to have six and one-half percent deducted from his salary under the provisions of Section 18-17(a).

(5) The additional amount of not less than \$321,000 to be paid to the funding agent annually out of the general funds of the County until the County Personnel Board is able to certify to the County Council that the Police Relief and Retirement Fund is fully funded.