

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*Section 1.* Section 18-12, Chapter 18, title "Police", of the Montgomery County Code 1965, is hereby repealed and re-enacted, with amendments, to read as follows: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