

*In the determination of average final compensation, any extraordinary salary increase in the last year prior to retirement shall be excluded; and for this purpose an extraordinary salary increase is an increase in earnable compensation for the particular year, over the earnable compensation for the next prior year, which much exceeds an average or usual increase from year to year and which, because of the unusual increase, would cause an inequity to the Retirement System and the members and beneficiaries thereof and to the fair purpose of the Retirement System if made the basis for determining average final compensation in this instance. The THE Board of Trustees by a rule of general application shall determine what constitutes an extraordinary salary increase.*

SEC. 2. *And be it further enacted, That this Act shall take effect July 1, 1972.*

Approved May 26, 1972.

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CHAPTER 382

(Senate Bill 34)

AN ACT to repeal and re-enact, with amendments, Sections 3(1) and 3(5) of Article 73B of the Annotated Code of Maryland (1970 Replacement Volume and 1971 Supplement), title "Pensions," subtitle "In General," amending the retirement law to ~~prevent a salaried employee, Judge, Legislator or Executive Official from receiving pension benefits from a State supported Retirement System while still a State employee, WITH CERTAIN EXCEPTIONS; enabling a person with separate years of service in two State-supported pension systems, upon retirement, to receive the benefits to which he is entitled under both systems; and relating generally to the payment of pension benefits to certain members of the Employees' Retirement System~~ ENABLE A PERSON WITH SEPARATE YEARS OF SERVICE IN TWO STATE-SUPPORTED PENSION SYSTEMS, UPON RETIREMENT, TO RECEIVE THE BENEFITS TO WHICH HE IS ENTITLED UNDER BOTH SYSTEMS.

SECTION 1. *Be it enacted by the General Assembly of Maryland, That Sections 3(1) and 3(5) of Article 73B of the Annotated Code of Maryland (1970 Replacement Volume and 1971 Supplement), title "Pensions," subtitle "In General," be and it is THEY ARE hereby repealed and re-enacted, with amendments, to read as follows:*

**3.**

(1) Any person who shall become an employee as herein defined after the date of establishment may become a member of the Retirement System at any time within the first two years of his employment, but if he has not previously joined must become a member at the end of that period as a condition of employment , and shall not be entitled to receive any pension or retirement allowance from any other pension or Retirement System if that pension or retire-