

years he was on such retirement plus the number of years he accrues after re-entering the system shall be used in computing the amount of his pension at subsequent retirement.

SEC. 4. Section 67(b), title "Non-service connected disability retirement." Section 67, title "Disability retirement" of Chapter 94, Montgomery County Code, 1965, is hereby amended as follows:

(b) "Non-service connected disability retirement." A member in the service of the County who is not eligible to retire on a normal retirement date may be retired by the County Personnel Board on a non-service connected disability retirement if: (1) he has ten years of credited service; (2) he has passed, at the time of employment or subsequent thereto, but prior to becoming disabled, a physical examination as may be required by the Personnel Regulations. In extenuating circumstances the County Personnel Board may waive such requirement; (3) the Retirement Hearing Board recommends to the County Personnel Board, based upon the certification of the Medical Review Committee, that such member is mentally or physically incapacitated for the further performance of duty, that such incapacity is not due to willful negligence, that such incapacity is likely to be permanent, and that such member should be retired; (4) he or his department head has made application for non-service connected disability retirement at least thirty (30) days and not more than ninety (90) days before the date he wishes his retirement to be effective; (5) he is not eligible for service connected disability retirement. Notwithstanding the above provisions, in extenuating circumstances, the County Personnel Board may waive the requirements that a member's medical incapacity is likely to be permanent. In such cases of waiver, the County Personnel Board may approve a temporary non-service connected disability retirement for one or more one-year periods until the incapacity is either removed or it becomes apparent that it is likely to be permanent. Also, in extenuating circumstances, the County Personnel Board may waive the thirty to ninety day application requirement period. Notwithstanding the above provisions, years of credited service of less than a full year will be prorated, and any days of credited service in excess of fifteen (15) days shall be equal to one month and any service of less than fifteen (15) days shall not be counted.

SEC. 5. Section 68(a)(3), title "Joint and survivor pension option," of Section 68, title "Pension Payment Options and Cost of Living Adjustments," of Chapter 94, Montgomery County Code, 1965, is hereby amended as follows:

(3) "Joint and survivor pension option." For each member retiring on or after May 1, 1970, pension payments in a reduced amount will be paid to the member during his lifetime and, if at a member's death, he is survived by the beneficiary (spouse or children only)