

pensions, or parts thereof, provided for the pensioners.

(C) Notwithstanding anything to the contrary, the retirement system shall not be liable for the payment of any pensions or other benefits on account of the faculty of the College, for which reserves have not been previously created from funds contributed by [such] THE College or its members for [such] THOSE benefits.

(D) IN THE EVENT THE BOARD OF TRUSTEES OF THE STATE COLLEGES ADOPTS AN OPTIONAL RETIREMENT PROGRAM AS PROVIDED IN SECTION 217 OF THIS ARTICLE, THOSE ELIGIBLE EMPLOYEES OF MORGAN STATE COLLEGE WHO ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM SHALL NOT PARTICIPATE IN THE TEACHERS' RETIREMENT SYSTEM FOR ANY PERIOD IN WHICH THEY PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM. THEY SHALL BE ENTITLED TO NO BENEFITS FROM THE TEACHERS' RETIREMENT SYSTEM EXCEPT WITH RESPECT TO CONTRIBUTIONS THERETOPRE MADE AS PROVIDED IN SECTION 217 OF THIS ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 217 to be under the new subtitle "Optional Retirement Programs" be and it is hereby added to Article 77 - Public Education, of the Annotated Code of Maryland (1969 Replacement Volume and 1974 Supplement) to read as follows:

Article 77 - Public Education

OPTIONAL RETIREMENT PROGRAMS

217.

(A) THE OPTIONAL RETIREMENT PROGRAM PROVIDED FOR IN THIS SECTION MAY BE ADOPTED BY ANY OF THE FOLLOWING BOARDS WITH RESPECT TO THE INSTITUTION OR INSTITUTIONS GOVERNED BY THAT BOARD OR WITH RESPECT TO THAT BOARD'S OWN STAFF:

- (1) BOARD OF REGENTS OF THE UNIVERSITY OF MARYLAND,
- (2) BOARD OF TRUSTEES OF THE STATE COLLEGES,
- (3) BOARD OF TRUSTEES OF ST. MARY'S COLLEGE OF MARYLAND,
- (4) STATE BOARD FOR COMMUNITY COLLEGES WITH RESPECT TO ANY COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE ESTABLISHED PURSUANT TO SECTION 1(A) OR SECTION 2(A) OF ARTICLE 77A OF THIS CODE, AND