

earnable compensation for his OR HER total service. The average final compensation of the judges of the Municipal Court of Baltimore City shall be based on the total salary received by them from both the State and the City. [Effective July 1, 1971, the provisions of this subsection shall be applicable to members who retired after July 1, 1970, as well as to those members who retire on or after July 1, 1971. Effective July 1, 1972, the provisions of this subsection shall be applicable to those members who retired on or prior to July 1, 1970.]

In the determination of average final compensation, any extraordinary salary increase in the [last year prior to retirement] LAST THREE YEARS OF SERVICE THAT WOULD OTHERWISE BE INCLUDED IN AVERAGE FINAL COMPENSATION shall be excluded, and the Board of Trustees by a rule of general application shall determine what constitutes an extraordinary salary increase. THE PROVISIONS OF THIS PARAGRAPH OF THE DEFINITION OF "AVERAGE FINAL COMPENSATION" DO NOT APPLY IN CASES OF PROMOTION.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 190(15) of Article 77 - Public Education, of the Annotated Code of Maryland (1975 Replacement Volume and 1975 Supplement) be and it is hereby repealed and reenacted, with amendments, to read as follows:

Article 77 - Public Education

190.

The following words and phrases as used in this subtitle, unless a different meaning is plainly required by the context shall have the following meanings:

(15) "Average final compensation" [shall mean] MEANS the average annual earnable compensation of a teacher for the three years of service as a teacher during which [his] THE TEACHER'S earnable compensation was highest, or if [he] THE TEACHER had less than three years of service, then [his] THE TEACHER'S average earnable compensation for his OR HER total service. [Effective July 1, 1971, the provisions of this subsection shall be applicable to members who retired after July 1, 1970, as well as to those members who retire on or after July 1, 1971. Effective July 1, 1972, the provisions of this subsection shall be applicable to those members who retired on or prior to July 1, 1970.]

In the determination of average final compensation, any extraordinary salary increase in the [last year prior to retirement] LAST THREE YEARS OF SERVICE THAT WOULD OTHERWISE BE INCLUDED IN AVERAGE FINAL COMPENSATION shall be excluded, and the Board of Trustees by a rule of general application shall determine what constitutes an extraordinary salary increase. THE PROVISIONS OF THIS PARAGRAPH OF THE DEFINITION OF "AVERAGE FINAL COMPENSATION" DO NOT APPLY IN CASES OF PROMOTION.