

(6) ON THE DEATH OF A FORMER GOVERNOR WHO HAS RETIRED UNDER THIS SUBSECTION, THE SURVIVING SPOUSE OF THE FORMER GOVERNOR SHALL RECEIVE AN ALLOWANCE THAT IS EQUAL TO ONE-HALF OF THE FORMER GOVERNOR'S RETIREMENT ALLOWANCE.

(7) ON THE DEATH OF A GOVERNOR WHILE IN OFFICE, THE DECEASED GOVERNOR'S SURVIVING SPOUSE SHALL RECEIVE ONE-HALF OF THE RETIREMENT ALLOWANCE THAT THE DECEASED GOVERNOR WOULD HAVE BEEN ENTITLED TO RECEIVE HAD THE DECEASED GOVERNOR COMPLETED THE CURRENT TERM AND BECOME 55 YEARS OLD.

(8) EACH FISCAL YEAR, THE BOARD OF TRUSTEES SHALL ADJUST THE RETIREMENT ALLOWANCE RECEIVED BY A FORMER GOVERNOR OR THE SURVIVING SPOUSE OF A FORMER OR DECEASED GOVERNOR UNDER THIS SUBSECTION AS PROVIDED BY TITLE 29, SUBTITLE 4, PART II OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 2-409(a) and the first through third and fifth through eleventh sentences of § 2-409(b).

In subsection (a)(3) and (4) of this section, the references to a "pension" are deleted as surplusage.

In subsection (a)(4) of this section, the reference to the "Board of Trustees" is added for clarity.

Also in subsection (a)(4) of this section, the former requirement that a suspended allowance "not [be] paid" is deleted as surplusage.

In subsection (b)(1) of this section, the reference to "spouses" is deleted as unnecessary in light of the specific provisions for spouses elsewhere in this section.

In subsection (b)(4) of this section, the phrase "[e]xcept as provided in paragraph (5) of this subsection" is added to clarify that the age restriction does not apply in the case of retirement for a physical or mental disability.

In subsection (b)(5)(i) of this section, the reference to "a Governor who becomes disabled before having served at least one term" is deleted as included in the reference to a Governor who leaves office because of physical or mental disability.

In subsection (b)(6) of this section, the former phrases "regardless of age" and "for the remainder of the spouse's life" are deleted as surplusage.

In subsection (b)(8) of this section, the reference to Title 29, Subtitle 4, Part II of this article is substituted for the reference to former Art. 73B, § 4-402, which is revised at § 23-402 of this article, to correct an error that occurred in Ch. 131, Acts of 1993. The reference to § 4-402, which applied to early retirement should have been to § 4-413, which applied to a cost-of-living adjustment. Former Art. 73B, § 4-413 is now revised in Title 29, Subtitle 4, Part II of this article.