

became members thereof as of October 1, 1941, and have remained such in good standing since that date; provided, however, that any such applicant shall, before being admitted into such membership, pay to said board of trustees a sum equivalent to the total of all contributions made by him to the pension fund of said Department of State Police between October 1, 1941, and the date of his removal or of his election to remove from said fund. No such person applying for membership in said system on or after December 31, 1961, shall be entitled to receive such prior service credit; AND

(4) No civilian employee of said Department or license examiner of said Commissioner who becomes an employee of said Department or of said Commissioner on or after June 1, 1943, shall be entitled to contribute to, or be eligible to become a member of the pension fund of said Department, but shall become a member of, and shall in every respect be subject to, said Employees' Retirement System.

REVISOR'S NOTE: This section formerly was Art. 88B, § 32.

Former Art. 88B, § 32 related to the election to be removed from the pension fund of the Department of State Police by certain employees of the Department who became employees of the Department before June 1, 1943. This provision is not retained in the Code because of its limited and diminishing applicability. However, it is transferred to the Session Laws to avoid any inadvertent substantive effect that its repeal might have.

The only changes are in style.

[34.] 3.

If a member of the Department OF STATE POLICE becomes physically incapable of performing his or her duties and the disability is the result of an accident or injuries occurring in the course of duty or is the result of sickness, accident or disease contracted in the course of duty and if the member has been in the Department OF STATE POLICE for ten years or more, then he or she shall be entitled to the same retirement pension as provided for in FORMER ARTICLE 88B, § 31 OF THE CODE, if the member is found, after medical examination given by a medical board of three physicians, consisting of the medical examiner of the Department OF STATE POLICE and two other physicians to be selected by the board of trustees of the retirement and pensions system of State Police and acceptable to the State Police employee concerned, to be physically incapable of performing his or her duties.

If any member of the old retirement and pension system of the Department of State Police dies before retirement, or after retirement from service on a pension, there shall be paid to the surviving spouse, as long as he or she remains unmarried, a pension equal to 25 percent of the deceased member's annual remuneration. If the member does not leave a surviving spouse but there is or are a surviving child or children, any or all of whom are under the age of 18 years, the pension shall be paid to the surviving child or children who are under the age of 18 years, in equal amounts to each. Any payments made to a surviving spouse under this section shall terminate on either the death or remarriage of the surviving spouse. In either event if there is or are a child or children of the deceased member, who are under the age of 18 years, the payments under this section shall continue to the child or children in equal amounts. Payments under this section to the surviving spouse of a member shall continue for