

the duration of his or her natural life, unless he or she remarries. If the surviving spouse has died or has remarried, as in this section specified, payments to any surviving child shall terminate when he or she reaches the age of 18 years. If a pension is paid under this section, it shall in no event be less than \$100 per month in the aggregate. A surviving spouse, child, or children resulting from any marriage contracted after the retirement of the member are not eligible for any payments under the provisions of this subtitle. For the purposes of this section the remuneration of a retired member shall be computed as it was in the year immediately preceding the granting of the member's application for retirement. With respect to a member who dies while in service the word "remuneration" shall be computed as it was in the year immediately preceding the date of his or her death.

REVISOR'S NOTE: This section formerly was Art. 88B, § 34.

Former Art. 88B, § 34 related to disability retirement by employees of the Department of State Police who elected not to become members of the State Police Retirement System. 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.

[34A.] 4.

(a) For the fiscal year beginning July 1, 1971, and for each fiscal year thereafter, each retired member's retirement allowance as hereunder defined, exclusive of any additional voluntary annuity, shall be adjusted by a ratio as provided in this section.

(b) (1) Each retired member shall have a base which shall be the consumer price index for the calendar year ending December 31st of the fiscal year in which he was last employed.

(2) The consumer price index to be used for the fiscal year in which the retirement allowance is payable shall be the consumer price index for the calendar year ending December 31st of the preceding fiscal year.

(3) The ratio of adjustment of the retirement allowance referred to in subsection (a) of this section shall be obtained by dividing the consumer price index in subsection (b)(2) OF THIS SECTION by the consumer price index in subsection (b)(1) of this section.

(c) For the purposes of this section the retirement allowance referred to in subsection (a) of this section, shall be that retirement allowance elected by the member under FORMER ARTICLE 88B, § 31 of [this article] THE CODE, exclusive of any additional voluntary annuity.

(d) For the purposes of this section, consumer price index shall mean the consumer price index (all items — United States city average), as published by the United States Department of Labor, Bureau of Labor Statistics.