

(1) is the final administrative decision; and

(2) is not subject to appeal under Title 10, Subtitle 2 of the State Government Article.

SECTION 4. AND BE IT FURTHER ENACTED, That the provisions of Section 3 of this Act shall be construed retroactively and applied to any member of the Maryland National Guard who died on or after September 11, 2001.

SECTION 5. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect July 1, 2002~~ is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 25, 2002.

CHAPTER 102

(House Bill 1442)

AN ACT concerning

Law Enforcement Officers' Pension System and State Police Retirement System - ~~Special~~ Death Benefits

FOR the purpose of altering the formula for computing the retirement allowance to be paid to certain surviving beneficiaries of members of the Law Enforcement Officers' Pension System and the State Police Retirement System; clarifying the formula for computing the retirement allowance to be paid to the surviving beneficiaries of members of the State Police Retirement System; providing for the application of this Act; and generally relating to ~~special~~ death benefits for the Law Enforcement Officers' Pension System and the State Police Retirement System.

BY repealing and reenacting, with amendments,

Article - State Personnel and Pensions

Section 29-203 and 29-204

Annotated Code of Maryland

(1997 Replacement Volume and 2001 Supplement)

~~BY repealing and reenacting, without amendments,~~