

Employees' Retirement System of the State of Maryland or the Pension System for Employees of the State of Maryland exceeds a certain amount; defining certain terms; and generally relating to disability beneficiaries of the Employees' Retirement System of the State of Maryland and the Pension System for Employees of the State of Maryland.

BY repealing and reenacting, with amendments,

Article 73B - Pensions
Section 11(8)(a) and 117(9)(b)
Annotated Code of Maryland
(1988 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 73B - Pensions

11.

(8) Once each year, the board of trustees may, and upon his application shall, require any disability beneficiary who has not yet attained the age of 60 to undergo a medical examination, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon, by a physician or physicians designated by the board of trustees. Should any disability beneficiary who has not yet attained the age of 60 refuse to submit to such medical examination, his allowance may be discontinued until his withdrawal of such refusal, and should his refusal continue for one year, all his rights in and to his pension may be revoked by the board of trustees:

~~(a)-(i)-1. IN THIS PARAGRAPH, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~2. "ADJUSTED AVERAGE FINAL COMPENSATION" MEANS THE DISABILITY BENEFICIARY'S AVERAGE FINAL COMPENSATION, ADJUSTED TO EQUAL THE SALARY PAYABLE IN THE FISCAL YEAR OF THE MEDICAL BOARD'S REPORT, OF A MEMBER HOLDING THE SAME POSITION, LEVEL, OR RANK AS THE ONE FROM WHICH THE DISABILITY BENEFICIARY RETIRED.~~

~~3. "RETIREMENT ALLOWANCE" MEANS THE ALLOWANCE PAYABLE WITHOUT OPTIONAL MODIFICATION AS PROVIDED IN SUBSECTION (ii) OF THIS SECTION.~~

~~(ii) Should the medical board report and certify to the board of trustees that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his ADJUSTED average final compensation plus \$3,000, and should the~~