

(B) If a waiver of limitations is desired, a written request for the waiver must be forwarded to the [Commissioner] *Secretary* at least thirty calendar days prior to the beginning of training. The request for waiver must be signed by the department or agency head and should include the following items:

(1) The name or names of employees for whom the waiver is requested;

(2) The factors which are considered to justify the granting of such a waiver.

SEC. 5. *And be it further enacted*, That Sections 2, 12(2) and 12 (9) of Article 73B of the Annotated Code of Maryland (1957 Edition, 1967 Replacement Volume and 1969 Supplement), title "Pensions," subtitle "In General," be and they are hereby repealed and re-enacted, with amendments, all to read as follows:

2.

A retirement system is hereby established and placed under the management of the board of trustees for the purpose of providing retirement allowances and other benefits under the provisions of this article, for employees of the State of Maryland. The retirement system so created shall be established as of October first, nineteen hundred and forty-one, *and it shall be part of the Department of Personnel*. It shall have the powers and privileges of a corporation, and shall be known as the "Employees' Retirement System of the State of Maryland," and by such name all of its business shall be transacted, all of its funds invested, and all of its cash and securities and other property held in trust for the purpose for which received. *The exercise or performance of all powers, authority, duty and functions vested in the Board of Trustees by the provisions of this Article, shall be subject to the authority of the Secretary of Personnel as set forth in Article 41 of this Code or elsewhere in the laws of this State.*

12.

(2) The board shall consist of seven trustees, as follows:

(a) The State [Budget Director] *Secretary of Budget and Fiscal Planning*, ex officio,

(b) The State Comptroller, ex officio,

(c) The State [Commissioner] *Secretary* of Personnel, ex officio,

(d) The State Treasurer, ex officio,

(e) Three State employees who shall be members of the system, one of whom shall be appointed for a term of four (4) years by the Board of Public Works and two (2) of whom shall be elected by the members of said system for a term of four (4) years, according to such rules and regulations as the board of trustees shall adopt to govern such an election; provided, however, that the term of office of one trustee so elected shall begin immediately following his election and shall expire August 1, 1951, and the term of office of one trustee shall expire August 1, 1949.

(9) The board of trustees shall elect from its membership a chairman, . [and by a majority vote of all its members shall appoint a secretary who may be, but need not be, one of its members. It] *The*