

11.

(1) [(a)] (a) Any member may retire upon written application to the board of trustees setting forth at what time he desires to be retired, provided that such member at the time so specified for his retirement shall have attained the age of sixty (60) or shall have rendered twenty-five (25) years of creditable service as an employee and notwithstanding that during such period of notification he may have separated from service.

[(b) Any member in service who is not an elected or appointed official of the State and who has attained the age of seventy shall be retired forthwith or on the first day of the next calendar month.]

(b) (1) Any member in service who is not an elected or appointed official of the State and who has attained the age of seventy shall be retired forthwith or on the first day of the next calendar month.

(2) IF, AT THE AGE OF 70 YEARS, A MEMBER DESIRES TO CONTINUE HIS EMPLOYMENT, THE MEMBER SHALL APPLY FOR CONTINUATION ON AN ANNUAL BASIS ON A FORM PROVIDED BY THE SECRETARY OF PERSONNEL. THE APPLICATION FOR CONTINUATION OF EMPLOYMENT, IN THE FIRST INSTANCE, SHALL BE SUBMITTED NOT LESS THAN 30 NOR MORE THAN 90 DAYS PRIOR TO BECOMING 70 YEARS OF AGE, TO THE MEMBER'S DEPARTMENT HEAD AS WELL AS TO THE AGENCY THAT DETERMINES A MEMBER'S EMPLOYMENT STATUS. IN THE CASE OF A DEPARTMENT HEAD, THE APPLICATION SHALL BE SUBMITTED SOLELY TO THE AGENCY THAT DETERMINES EMPLOYMENT STATUS.

(3) IF THE WRITTEN NOTICE BY THE EMPLOYEE IS NOT APPROVED, THE EMPLOYEE SHALL, UPON HIS REQUEST, BE GIVEN A FULL HEARING BEFORE THE MARYLAND EMPLOYEES RETIREMENT REVIEW BOARD.

(4) IF THE WRITTEN APPLICATION BY THE EMPLOYEE IS APPROVED, EMPLOYMENT WILL BE AUTHORIZED FOR ONE YEAR. FURTHER CONTINUATION OF EMPLOYMENT SHALL BE BASED ON THE EXECUTION OF THE APPROPRIATE APPLICATION FORM NOT LESS THAN 30 NOR MORE THAN 90 DAYS PRIOR TO THE COMPLETION OF EACH AUTHORIZED YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That Section 11(2) of Article 73B - Pensions, of the Annotated Code of Maryland (1970 Replacement Volume and 1973 Supplement) be and it is hereby repealed: