

~~(1970 Replacement Volume and 1977 Supplement)~~

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section (c) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:~~

~~Article 100 — Work, Labor and Employment~~

~~77B.~~

~~(A) ANY MEMBER OF THE EMPLOYEES' OR TEACHERS' RETIREMENT SYSTEMS OF THE STATE OF MARYLAND WHO IS NOT AN ELECTED OR APPOINTED OFFICIAL OF THE STATE MAY NOT BE REQUIRED, AS A CONDITION OF EMPLOYMENT, TO RETIRE AT OR BEFORE A SPECIFIED AGE OR AFTER THE COMPLETION OF A SPECIFIED NUMBER OF YEARS OF SERVICE.~~

~~(B) THE SECRETARY OF PERSONNEL AND THE SUPERINTENDENT OF THE STATE POLICE SHALL ESTABLISH REASONABLE CRITERIA AND STANDARDS OF JOB PERFORMANCE TO BE USED FOR THE PURPOSE OF DETERMINING WHEN EMPLOYMENT OF THE EMPLOYEES INCLUDED IN THIS SECTION SHOULD BE TERMINATED. IF A CERTIFIED BARGAINING AGENT EXISTS, THE ESTABLISHMENT OF THESE CRITERIA AND STANDARDS MAY BE A SUBJECT OF COLLECTIVE BARGAINING. THESE CRITERIA AND STANDARDS SHALL BE CONSISTENT FOR ALL EMPLOYEES IN THE SAME OR SIMILAR JOB CLASSIFICATIONS AND APPLIED FAIRLY TO ALL EMPLOYEES REGARDLESS OF AGE.~~

~~(C) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT THE RETIREMENT OF EMPLOYEES INCLUDED IN THIS SECTION AFTER THE COMPLETION OF A SPECIFIED NUMBER OF YEARS OF SERVICE, HOWEVER, THE ACCRUAL OR AWARDING OF PENSION OR RETIREMENT BENEFITS MAY NOT BE USED IN ANY MANNER TO REQUIRE THE RETIREMENT OF AN EMPLOYEE OR TO DENY EMPLOYMENT TO A PERSON.~~

~~(D) THE BOARDS OF TRUSTEES OF THE RETIREMENT SYSTEMS OF THE STATE SHALL AMEND EXISTING EMPLOYEE RETIREMENT OR PENSION PLANS PRIOR TO JULY 1, 1979. IF SUCH AMENDMENT IS REQUIRED TO BE MADE THROUGH THE NEGOTIATION OF A COLLECTIVE BARGAINING CONTRACT THAT IS NOT SCHEDULED FOR NEGOTIATION PRIOR TO JULY 1, 1979, THE AMENDMENT SHALL BE MADE DURING THE NEXT SCHEDULED NEGOTIATION AFTER JULY 1, 1979.~~

~~Article 73B — Pensions~~

~~11.~~

~~(1) [(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) (1) Any member in service who is not an~~