

117. BENEFITS.

(1) (A) ANY MEMBER MAY RETIRE ON WRITTEN APPLICATION TO THE BOARD OF TRUSTEES SETTING FORTH AT WHAT TIME HE DESIRES TO BE RETIRED, PROVIDED THAT THE MEMBER AT THE TIME HE SPECIFIES FOR HIS RETIREMENT SHALL HAVE ATTAINED: (I) 30 YEARS OF CREDITABLE SERVICE, OR (II) THE AGE AND HAVE THE YEARS OF CREDITABLE SERVICE AS FOLLOWS AND NOTWITHSTANDING THAT DURING THE PERIOD OF NOTIFICATION HE MAY HAVE SEPARATED FROM SERVICE:

<u>AGE</u>		<u>YEARS OF CREDITABLE SERVICE</u>
62	WITH	5
63	WITH	4
64	WITH	3
65 OR MORE	WITH	2

(B) (I) EXCEPT AS OTHERWISE PROVIDED, ANY MEMBER IN SERVICE WHO IS 70 YEARS OLD SHALL BE RETIRED ON THE FIRST DAY OF THE NEXT CALENDAR MONTH FOLLOWING THE ATTAINMENT OF AGE 70.

(II) IF A MEMBER WHO IS 70 YEARS OLD DESIRES TO CONTINUE HIS EMPLOYMENT, THE MEMBER SHALL APPLY FOR CONTINUATION ON AN ANNUAL BASIS ON THE 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 BEFORE HE BECOMES 70 YEARS OLD, 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 ONLY TO THE AGENCY THAT DETERMINES EMPLOYMENT STATUS.

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

(IV) IF THE WRITTEN APPLICATION BY THE EMPLOYEE IS APPROVED, EMPLOYMENT SHALL BE AUTHORIZED FOR 1 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 BEFORE EACH AUTHORIZED YEAR IS COMPLETED.

(2) ON RETIREMENT, A MEMBER SHALL RECEIVE A SERVICE RETIREMENT ALLOWANCE WHICH SHALL BE COMPUTED AS 8/10 OF 1 PERCENT OF THE PART OF THE MEMBER'S AVERAGE FINAL COMPENSATION THAT IS NOT IN EXCESS OF THE SOCIAL SECURITY INTEGRATION LEVEL, PLUS 1 AND 5/10 PERCENT OF THE PART OF THAT COMPENSATION THAT IS IN EXCESS OF THE SOCIAL SECURITY INTEGRATION LEVEL, MULTIPLIED BY THE NUMBER OF YEARS OF HIS CREDITABLE SERVICE.