

(1978 Replacement Volume and 1979 Supplement)

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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 73B - Pensions

11.

(2) (a) There is [hereby created the] A Maryland Employees Retirement Review Board. The Board shall be composed of [six] SEVEN members including the following: the Secretary of Personnel or his designee; the State Director on Aging; a physician designated by the Secretary of the Department of Health and Mental Hygiene; A MEMBER OF THE BOARD OF TRUSTEES FOR THE TEACHERS' RETIREMENT SYSTEM; and three members appointed by the Governor to represent the public at large. The three members appointed by the Governor shall serve until June 30, 1975. Thereafter, members appointed by the Governor shall serve terms of four years. Four members of the Board are a quorum.

(b) The Board shall determine all retirement cases brought before it by a member or the head of his department. Subject to the provisions of paragraph (1) (b) of this section, the Board may retire the employee, may permit him to continue in employment, may recommend that he be transferred to another position in the State service, or may recommend that he be placed on a part-time employment basis.

(c) The Board shall promulgate rules and regulations for applications, and hearing and appeal procedures in accord with Article 41 §§ 244 to 256.

86.

(1) [(c) Any member in service who attains the age of 70 during World War II and any retired member who was in service on January 1, 1942 may remain or be reinstated in service after attaining such age if, in the opinion of the official or body originally appointing such member, he is capable of performing the duties of his position and if such official or body appointing such member gives notice in writing to the board of trustees of intention to retain or reinstate such person in service, but the service of such person shall continue only during World War II and for a period of six months thereafter or to any earlier time at which he may voluntarily retire or at which the official or body appointing such member may determine that such member shall be retained or reinstated when there is available to fill his position an eligible and qualified person below the age of 70; eligibility and qualification to be determined by the official or body authorized to fill the position of the member in question.

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