

[(ii)] (B) A former member who is eligible for a service retirement allowance at the time service is terminated and who has not withdrawn his contributions may receive the service retirement allowance as of the first day of the month following receipt of the written application.

[(b) (i) 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.

(ii) 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.

(iii) 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.

(iv) 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.

(2) (a) There is a Maryland Employees Retirement Review Board. The Board shall be composed of 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.