

(2) ANY PERSON WHO IS FIRST APPOINTED TO A PERMANENT MERIT SYSTEM POSITION OR UNCLASSIFIED POSITION AT THE AGE OF 70 OR OLDER SHALL NOT BE ELIGIBLE FOR MEMBERSHIP IN THE PENSION SYSTEMS OF THE STATE.

(3) IF A MEMBER WHO IS OVER 70 YEARS OLD DESIRES TO CONTINUE 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 THE END OF THE FISCAL YEAR 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.

(4) 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.

(5) 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.

(6) THE PROVISIONS OF THIS SECTION ARE OF NO FURTHER EFFECT AND MAY NOT BE ENFORCED AFTER JUNE 30, 1985.

~~(3)--The-Director-on-Aging-and-the--Secretary--of Personnel--shall--submit--(a)--AN-ANNUAL-report-to-the-General Assembly-no-later-than-the--second--Wednesday--of--January(, 1982,)--OF--EACH--YEAR--concerning--the--feasibility--and productivity-of-employing-elderly-persons-in-State-agencies.~~

~~(4)--(The-provisions--of--this--subsection--shall remain--until--June--30,--1982,--after--which--date,--without further-action-by--the--General--Assembly,--this--subsection shall-have-no-force-or-effect.~~

~~(5)--No--retired--member--of--a-State-retirement system-shall-be-employed-in-this--(demonstration)--program.~~

Article 73B - Pensions

113.

The membership of the pension system shall consist of the following individuals:

(1) Any person who becomes an employee on or after the date this pension system is established is a