

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN EMPLOYEE OF THE COLLEGE QUALIFIES FOR AND SHALL PARTICIPATE IN THE STATE EMPLOYEES' PENSION SYSTEM OR THE STATE TEACHERS' PENSION SYSTEM.

(2) AN EMPLOYEE IN A POSITION DETERMINED BY THE BOARD TO BE A PROFESSIONAL OR FACULTY POSITION MAY JOIN THE OPTIONAL RETIREMENT PROGRAM UNDER ARTICLE 73B, § 110 OF THE CODE.

**Article - State Finance and Procurement**

11-203.

(a) Except as provided in subsection (b) of this section, this Division II does not apply to:

(1) procurement by:

(xiii) the Maryland Historical Trust for:

1. surveying and evaluating architecturally, archeologically, historically, or culturally significant properties; and

2. other than as to architectural services, preparing historic preservation planning documents and educational material; [and]

(xiv) the University of Maryland, for University College Overseas Programs, if the University adopts regulations that:

1. establish policies and procedures governing procurement for University College Overseas Programs; and

2. promote the purposes stated in § 11-201(a) of this subtitle;

AND

(XV) ST. MARY'S COLLEGE OF MARYLAND.

**Article 64A - Merit System**

3.

The following positions shall not be included in the classified service:

(18) Administrative law judges appointed under Title 9, Subtitle 16 of the State Government Article; [and]

(19) All officers and faculty of the New Community College of Baltimore and all registrars and librarians designated by the Board of Trustees of the New Community College of Baltimore as holding faculty rank; AND

(20) ALL EMPLOYEES OF ST. MARY'S COLLEGE OF MARYLAND INCLUDING, WITHOUT LIMITATION, ALL FACULTY AND ADMINISTRATIVE PERSONNEL STAFF.