

land (1939 Edition), title "Merit System", providing that certain positions in the State Law Department be included in the classified service, and declaring the status of certain employees now or heretofore employed in such positions.

WHEREAS, the Merit System Law by its terms excludes from the classified service positions in the State Law Department but also by its terms purports to authorize the Governor, by executive order, to add to the classified service places of employment excluded therefrom by the Law itself; and

WHEREAS, by executive order dated December 28th, 1920, certain positions in the State Law Department were added to the classified service as of January 1, 1921; and

WHEREAS, in reliance upon said executive order the positions affected thereby have been deemed since January 1, 1921, to be within the Merit System and the present and past holders thereof were qualified, certified, appointed and otherwise treated as if they were within the classified service; and

WHEREAS, the Court of Appeals of Maryland has recently held that the said executive order is invalid, thereby jeopardizing the status and rights of said employees which they have heretofore been supposed to possess; therefore

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 2 of Article 64A of the Annotated Code of Maryland (1939 Edition) be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

2. The following positions shall not be included in the classified service, namely: Those held by officers elected by popular vote and officers whose appointment and election is provided by the Constitution, including deputy clerks provided for by the Constitution, Article 4, Sections 26 and 27; officers and employees of the General Assembly or of either House thereof; officers and employees appointed or designated by any court or judge thereof; deputies, assistants and employees appointed or designated by any Sheriff, any Register of Wills, any Clerk of Court, any State's Attorney, or any Board of Supervisors of Elections; supervisors of assessments in the several counties; the Deputy and Assistant Attorneys General and all other attorneys employed in, or connected with, the State Law