

the Annotated Code of Maryland (1939 Ed.), title "Pensions", as said Article was enacted by Chapter 377 of the Acts of 1941, to provide for the inclusion of all regular employees of the State Roads Commission, including those engaged on county roads maintenance, in the Employees' Retirement System of the State of Maryland.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That sub-sections 3, 7, 8 and 10 of Section 1, sub-section 4 of Section 3, and sub-section 1 of Section 4 of Article 73B of the Annotated Code of Maryland (1939 Ed.), title "Pensions", as said Article was enacted by Chapter 377 of the Acts of 1941, be and the same are hereby repealed and re-enacted with amendments so as to read as follows:

(3) "Employee" shall mean any regular classified or unclassified officer or employee of the State for whom compensation is provided for by State appropriation, or whose compensation is paid from State funds, including all regular employees of the State Roads Commission, whether classified or unclassified and whether paid on an annual, daily or hourly basis, and shall expressly include those engaged in work on the maintenance of county roads under the supervision of the State Roads Commission. Provided, however, that all unclassified persons working for the State Roads Commission or on County Roads under the supervision and control of the State Roads Commission on an hourly basis who have not been regularly employed in such work for a period of one year, shall not be eligible for membership until they shall have been so regularly employed for a period of one year. The term "employee" shall include any appointed or elected employee of the State, and any clerk of court and register of wills, and shall include the sheriff of Baltimore City and the employees of his office. It shall exclude any person who is a member of or eligible to membership in the Teachers' Retirement System of the State of Maryland or the State Police Pension Fund or the Judges Retirement System and any class of employees whose compensation is only partly paid by the State or who are serving on a temporary *basis*. In all cases of doubt, the Board of Trustees, provided for in Section 6 of this Article, shall determine whether any person is an employee as defined in this Article, irrespective of the method of payment.

(7) "Service" shall mean service as employee paid for by the State, and service as a worker on county road systems in those counties where maintenance of roads is supervised by the State Roads Commission.