

other agency who shall not be subject to the provisions of ~~either~~ a forty-hour week ~~For a forty-four hour week.~~ The State Commissioner of Personnel is authorized to adopt and promulgate reasonable rules and regulations to prevent an abuse of this section by the granting of unnecessary and unwarranted overtime ~~or by the failure to grant overtime compensation when the employee is eligible to receive the same under the provisions of this section.~~ Any employee who is designated by his executive head, as being not subject to the provisions of a forty-hour week, shall have the right to appeal to the State Commissioner of Personnel, who shall investigate and decide such employee's appeal, and the Commissioner's decision shall be final and binding upon both the executive head and the employee who appeals such designation.

~~(d)~~ (e) Per diem employees.—Every per diem State employee who works in excess of ~~forty-four~~ forty hours in any week shall receive compensation for such hours worked in excess of that time. The amount of compensation for such excess shall be computed by dividing the per diem compensation by eight and multiplying the resulting quotient by the number of hours worked in excess of said ~~forty-four~~ forty hours.

Provided, however, that the provisions of this section shall not apply to the Department of Maryland State Police, Game and Inland Fish Commission, Department of State Forests and Parks, the Department of Tidewater Fisheries and to the Maryland Alcohol Tax Enforcement Unit.

*(d) In order that the hourly employees of the State Roads Commission will not suffer a reduction in compensation through the workings of this section, they shall receive and continue to receive an increase in hourly compensation in an amount equal to ten per centum (10%) of that being received by them immediately prior to July 1, 1958.*

76. (a) EMPLOYEES GENERALLY.—EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, EVERY STATE EMPLOYEE EXCEPT PER DIEM AND HOURLY EMPLOYEES WHO WORKS IN EXCESS OF FORTY (40) HOURS IN ANY WEEK SHALL RECEIVE EXTRA COMPENSATION FOR SUCH HOURS WORKED IN EXCESS OF THAT TIME. THE AMOUNT OF COMPENSATION FOR SUCH EXCESS HOURS SHALL BE COMPUTED BY DIVIDING THE BI-WEEKLY COMPENSATION BY EIGHTY AND MULTIPLYING THE RESULTING QUOTIENT BY THE NUMBER OF HOURS IN EXCESS OF SAID FORTY HOURS.

(B) SUPERVISORY EMPLOYEES.—THE EXECUTIVE HEAD OF EVERY DEPARTMENT, BUREAU, BOARD, COMMISSION OR OTHER AGENCY OF THE STATE, WITH THE APPROVAL OF THE STATE COMMISSIONER OF PERSONNEL, IS AUTHORIZED AND EMPOWERED TO DESIGNATE THOSE BONA FIDE SUPERVISORY EMPLOYEES WHO ACTUALLY EXERCISE SUPERVISORY CONTROL OVER A MAJOR FUNCTION WITHIN THE RESPECTIVE DEPARTMENT, BUREAU, BOARD, COMMISSION OR OTHER AGENCY WHO SHALL NOT BE SUBJECT TO THE PROVISIONS OF A FORTY HOUR WEEK. THE