

## CHAPTER 403

(Senate Bill 401)

AN ACT to repeal and re-enact, with amendments, Section 1 (3) of Article 73B of the Annotated Code of Maryland (1960 Supplement), title "Pensions", sub-title "In General", to include certain employees of the Military Department of the State in the definition of "employee" for purposes of the State Employees' Retirement System laws.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 1 (3) of Article 73B of the Annotated Code of Maryland (1960 Supplement), title "Pensions", sub-title "In General", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

1.

(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 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 any 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. The term "employee" also shall include any person who was regularly employed by Miners' Hospital in Frostburg and who was a member of the Retirement System at the time it was transferred from State ownership, and who continues in employment at the hospital after the transfer, so long as all contributions to the Retirement System which are required from both employee and employer are made when and as payable. From and after the time the hospital is transferred from State ownership, the State no longer has the responsibility of paying the employer's share of the contributions. *The term "employee" also shall, on and after June 1, 1961, include any person who is regularly employed by the State Military Department as a National Guard technician, although paid by or from federal appropriated funds, provided the employer's con-*

EXPLANATION: *Italics indicate new matter added to existing law.*

[Brackets] indicate matter stricken from existing law.

CAPITALS indicate amendments to bill.

**Strike out** indicates matter stricken out of bill.