

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 employees 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 contribution to the retirement system, when and as payable, shall be made by the United States, or otherwise, and provided the State shall not be responsible for payment of such employer's contribution. The term "employee" also includes all the several classes of assessors, including supervisors and assistants, for whom the State pays a portion of annual salary under the provisions of the subtitle "State Department of Assessments and Taxation" in Article 81 of this Code; but the term "employee" does not include any such assessor who is a member of a retirement or pension system operated by a political subdivision of this State. In all cases of doubt, the board of trustees, provided for in Section 11 of this article, shall determine whether any person is an employee as defined in this article, irrespective of the method of payment.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1971.

Approved May 6, 1971.

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CHAPTER 374

(Senate Bill 338)

AN ACT to repeal and re-enact, with amendments, Section 49 (b) of Article 2B of the Annotated Code of Maryland (1968 Replacement Volume), title "Alcoholic Beverages," subtitle "General Provisions