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(a) The Executive Director shall create and administer a division to be known as the Division of Employment Service which shall establish and maintain free public employment offices in such number and in such places as may be necessary for the proper administration of this article and for the purpose of performing such duties as are within the purview of the act of Congress, entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes," approved June 6, 1933 (48 Stat. 113; U.S.C.A., Title 29, § 49(c), as amended). The said Division shall be administered by a full-time salaried director, who shall be charged with the duty to cooperate with any official or agency of the United States having powers or duties under the provisions of the said act of Congress, as amended, and to do and perform all things necessary to secure to this State the benefits of the said act of Congress, as amended, in the promotion and maintenance of a system of public employment offices. The provisions of the said act of Congress, as amended, are hereby accepted by this State, in conformity with § 4 of said act, and this State will observe and comply with the requirements thereof. The Division of Employment Service is hereby designated and constituted the agency of this State for the purpose of said act. The Executive Director is directed to appoint the director and employees of the Division of Employment Service, in accordance with regulations prescribed by the director of the United States employment service, and in accordance with the provisions of Article 64A of the Annotated Code of Maryland; provided, however, that all of the employees of the Division of Employment Service on January 1, 1939, shall remain employees of the Division of Employment Service subject to reclassification under said Article 64A of the Annotated Code of Maryland.

The Executive Director may cooperate with or enter into agreements with the railroad retirement board with respect to the establishment, maintenance, and use of free employment service facilities.

The legislature hereby declares its intent that operation of the Division of Employment Service shall be resumed whenever the needs of national defense, as determined by the President of the United States, will permit.

Within a period of one year from such time, notwithstanding any other provisions of the laws of the State of Maryland, the Governor of this State is hereby authorized to take such action as he finds necessary to transfer to the Division of Employment Service the personnel, records, and facilities of the United States employment service in this State as a going concern, and to secure to this State all advantages available under the Wagner-Peyser Act, as amended, the Social Security Act, as amended, and the federal Unemployment Tax Act, as amended.

[Any person who was in the employ of the Division of Employment Service at the time that the said service and its personnel were taken over by the United States employment service and who has remained in the employ of the United States employment service and has not withdrawn his accumulated contributions to the Employees' Retirement System of the State of Maryland shall be restored to active membership in the said system when the operation of the Division