

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 ["employees"] "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. The term "employee" also includes regular and full-time staff members of the Commission to Revise the Annotated Code and of any successor agency or agencies. 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. **THE TERM "EMPLOYEE" ALSO INCLUDES THOSE "CONTRACTUAL SERVICE" EMPLOYEES OF THE MARYLAND RACING COMMISSION WHO RECEIVE SALARY PAYMENTS FROM THE STATE SUBJECT TO REIMBURSEMENT TO THE STATE BY LICENSES OF THE RACING COMMISSION UNDER ARTICLE 78B OF THE CODE, PROVIDED THAT THE EMPLOYER'S CONTRIBUTION TO THE RETIREMENT SYSTEM, WHEN AND AS PAYABLE, SHALL BE MADE BY THE MARYLAND RACING COMMISSION, AND PROVIDED THAT THE STATE IS NOT RESPONSIBLE FOR PAYMENT OF THE EMPLOYER'S CONTRIBUTION.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved May 24, 1973.

CHAPTER 667

(Senate Bill 235)

AN ACT to repeal and re-enact, with amendments, Section 3(5) of Article 73B of the Annotated Code of Maryland (1972 Supplement), title "Pensions," subtitle "In General," and to repeal Section 9(9) of said Article, title and subtitle and to enact new Section 9(9) in lieu thereof, to stand in the place of the section repealed; [amending the retirement law in order to clarify certain language thereof, relating particularly to creditable service for certain members of the Employees' Retirement System.] to allow service credit in the State Employees' Retirement System for State or local elected or appointed service by certain members of the System and to provide for the contributions payable for this service.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 3 (5) of Article 73B of the Annotated Code of Maryland (1972 Supplement), title "Pensions," subtitle "In General," be and it is hereby repealed and re-enacted, with amendments, and to repeal Section 9(9) of said Article, title and subtitle and to enact new Section 9(9) in lieu thereof, to stand in the place of the section repealed, and all to read as follows: