

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 § 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"] "ADDITIONAL 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] AS THAT TERM IS DEFINED IN SECTION 5(A) OF ARTICLE 78B OF THE CODE. HOWEVER, ELIGIBILITY FOR MEMBERSHIP OF THESE "ADDITIONAL EMPLOYEES" SHALL BE DETERMINED BY THE BOARD OF TRUSTEES.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 3(8) be and it is hereby added to Article 73B - Pensions, of the Annotated Code of Maryland (1970 Replacement Volume and 1973 Supplement) to read as follows:

Article 73B - Pensions

3.

(8) ANY "ADDITIONAL EMPLOYEE" OF THE MARYLAND RACING COMMISSION WHOSE SALARY PAYMENTS FROM THE STATE ARE SUBJECT TO REIMBURSEMENT TO THE STATE BY LICENSEES OF THE RACING COMMISSION UNDER ARTICLE 78B OF THE CODE, MAY BECOME A MEMBER OF THE RETIREMENT SYSTEM AS A CONDITION OF EMPLOYMENT, SUBJECT TO HIS ELIGIBILITY FOR MEMBERSHIP BEING DETERMINED BY THE BOARD OF TRUSTEES OF THE RETIREMENT SYSTEM. SUCH EMPLOYEE MAY RECEIVE CREDIT FOR SERVICE PERFORMED WITH THE COMMISSION PRIOR TO JULY 1, 1974, IF HE PAYS BOTH HIS AND THE EMPLOYER'S SHARE OF CONTRIBUTIONS TO THE RETIREMENT SYSTEM, TOGETHER WITH REGULAR INTEREST THEREON. FROM AND AFTER JULY 1, 1974, THE EMPLOYER'S SHARE OF THE CONTRIBUTION SHALL BE AN OBLIGATION OF THE RACE TRACKS OF THE STATE AND SHALL BE PAID IN THE MANNER AS THE SALARY PAYMENTS UNDER ARTICLE 78B ARE MADE.

SECTION 3. AND BE IT FURTHER ENACTED, That Section 5(a) of Article 78B - Racing Commission, of the Annotated Code of Maryland (1969 Replacement Volume and 1973 Supplement) be and it is hereby repealed and re-enacted,