

(c) The payment of the grant by the Board shall not be construed to abrogate the sovereign immunity of the State or deprive any agency, board, commission, department, officer, or institution, or any employee thereof, of its sovereign immunity. No appeal shall lie to any court from a decision of the Board of Public Works made pursuant to this section.

(d) (1) For the purposes of this section, the term "State officer" includes a person who holds a position which, while acting in the performance of his duties and within the scope of his employment, involves the exercise of discretion and involves the discharge of a portion of the sovereignty of the State, regardless of the amount or source of his compensation.

(2) For the purposes of this section, the term "State employee" includes:

(i) Any regular classified or unclassified employee of the State for whom compensation is provided for by State appropriation or whose compensation is paid, in whole or in part, from State funds;

(ii) Any employee subject to the jurisdiction of the State Department of Personnel;

(iii) An officer, warrant officer, or enlisted member of the organized militia;

(iv) An employee or member of a community college board of trustees;

(v) An employee of a local health department;

(vi) A key employee of the Maryland Port Administration as defined in Section 6-204(n) of the Transportation Article;

(vii) A person performing the services of a State employee on a voluntary basis; and

(viii) A member of the board of visitors of the Maryland School for the Deaf; [and]

(ix) An employee or member of a county board of education as defined in § 1-101(d) of the Education Article; AND

(X) AN EMPLOYEE OR MEMBER OF A SOIL CONSERVATION DISTRICT BOARD OF SUPERVISORS.

(3) The Board of Public Works shall determine, in cases of doubt, whether any person making written application under subsection (b) is a State officer or State employee for the purposes of this section, regardless of the method, source, or amount of compensation of the person.