

Article 73B – Pensions

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The following words and phrases as used in this article, unless a different meaning is plainly required by the context, shall have the following meanings:

(3) “Employee” shall mean any regular classified or unclassified officer or employee of the State for whom compensation is provided for by the State appropriation, or whose compensation is paid from State funds, including all regular employees of the State Highway Administration, 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 Highway Administration. 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 of the State Police Retirement System or any judge of the circuit courts, Court of Appeals of Maryland, Court of Special Appeals, and District Courts or any [commissioner] MEMBER of the [Workmen’s] STATE WORKERS’ Compensation Commission, and any class of employees whose compensation is only partly paid by the State or who [are] IS 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 former subtitle “State Department of Assessments and Taxation” in Article 81 of this Code, now Section 17 of Chapter 8 of the Acts of 1985; 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. 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 § 12 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 “additional employees” of the Maryland Racing Commission as that term is defined in ARTICLE 78B, § 5(a) [of Article 78B] of the