

ACT (CETA) PROJECT PUBLIC SERVICE EMPLOYMENT PROGRAM, shall be entitled to membership in the Employees' Retirement System of the State of Maryland as provided by this article and subsequent amendments thereto. Provided, however, that the officers and employees of any municipal corporation shall not be included in said Employees' Retirement System of the State without the approval of the legislative body of any such municipal corporation. Should the legislative body of any municipal corporation on or after January 1, 1946, give its approval to the participation of its officers and employees in the said Employees' Retirement System of the State as hereinabove provided, such employees shall be eligible to participate in said Employees' Retirement System of the State as specifically provided hereinafter for such employees.

~~SECTION 4 2. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND AND BE IT FURTHER ENACTED,~~ That section(s) of the Annotated Code of Maryland (as enacted by Chapter _____ of the Acts of the General Assembly of 1978) be repealed, amended, or enacted to read as follows:

Article 73B - Pensions

81.

In this subtitle the following words have the meanings indicated unless the context requires otherwise:

(3) "Teacher" means any teacher, helping teacher, principal, supervisor or superintendent, attendance officer, or clerk employed in a public day school within the state or in any state educational institution supported and controlled by the State. THE TERM DOES NOT INCLUDE A TEACHER, HELPING TEACHER, OR OTHER EMPLOYEE WHO IS EMPLOYED PURSUANT TO A FEDERAL COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) PROJECT PUBLIC SERVICE EMPLOYMENT PROGRAM. In all cases of doubt the board of trustees hereinafter defined, shall determine whether any person is a teacher as defined in this article.

102.

[(k)] (1) The professional and clerical employees of any library established or operating under the provisions of Title 23 of the Education Article are included in the definition of "teacher" and "member," as those terms are defined respectively in subsections (3) and (4) of § 81 of this subtitle, and all such professional and clerical employees are entitled to all the rights and privileges and subject to all of the obligations of the Teachers' Retirement System as established and maintained under this subtitle EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION; provided, however, that each professional and clerical employee of the department of public libraries of Montgomery County WHO IS COVERED UNDER THE TEACHERS' RETIREMENT SYSTEM may elect to transfer to the employees'