

33.

*In time of peace and while engaged in military service all officers and enlisted men of the organized militia of the State of Maryland shall be deemed workmen of the State for wages within the meaning of this section; provided that, whenever and so long as provision equal to or better than that given under the terms of this article is made by the federal government for an employee of the military department of Maryland injured in the course of employment, such employee shall not be entitled to the benefit of this article.*

35.

*(a) Whenever any prisoner working for the county roads board or the board of county commissioners or county council in the counties to which this section applies shall be engaged in any employment within the meaning of this article for which wages or a stipulated sum are paid by said county this article shall be applicable thereto if said prisoner sustains a permanent partial or permanent total disability as a result of said injury, and the average weekly wages of any such prisoner injured in the course of his or her employment shall be the average weekly wages paid by the county to such prisoner, and in addition thereto, a fair and reasonable sum to be determined by the Workmen's Compensation Commission for the board and maintenance of such prisoner not to exceed the amount customarily received by the county for its own use by prisoners engaged in employment by other employers.*

67.

*(1) "Employment" means work or occupation described in Section 21 of this Article.*

*(2) "Employer" means those persons who fall within the requirements of Section 21(a) of this Article including a person, partnership, association, corporation, and the legal representatives of a deceased employer, or the receiver or trustee of a person, partnership, association or corporation employing workmen.*

*(3) "Employee" means those persons engaged in occupations as provided by Section 21 of this Article.*

*(4) If an employer is a partnership, or sole proprietorship, such employer may elect to include as an "employee" within the provisions of the act, any member of such partnership, or the owner of the sole proprietorship, devoting full time to the partnership or proprietorship business. In the event of such election, the employer must serve upon the employer's insurance carrier and upon the commission written notice naming the persons to be covered and no such proprietor or partner shall be deemed an employee within this Article until such notice has been served as aforesaid.*

SEC. 2. *And be it further enacted, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.*

Approved April 23, 1971.