

(9) A MEMBER OR EMPLOYEE OF A BOARD OF SUPERVISORS FOR A SOIL CONSERVATION DISTRICT;

(10) A PERSON WHO, AS A VOLUNTEER, IS PROVIDING A SERVICE TO OR FOR THE STATE;

(11) A PERSON WHO, FOR OR UNDER CONTRACT WITH A UNIT OF THE STATE OR A LOCAL GOVERNMENT, PERFORMS AN EMERGENCY SERVICE DURING A STATE OF EMERGENCY UNDER ARTICLE 16A OF THE CODE;

(12) ANY OTHER INDIVIDUAL WHO, WITH OR WITHOUT COMPENSATION, HOLDS A POSITION THAT REQUIRES THE EXERCISE OF DISCRETION AND OF A PART OF THE SOVEREIGNTY OF THE STATE; AND

(13) ANY OTHER STATE OFFICER OR STATE EMPLOYEE.

REVISOR'S NOTE: This section is new language that combines, without substantive change, former Art. 78A, § 16C(d)(1) and (2).

The term "State personnel" is substituted, as the defined term, for the 2 former terms "State employee" and "State officer", since the former definition of "State employee" encompassed individuals who usually are characterized as officers. This substitution does not effect a change in any rights under this subtitle, since there is no distinction between payments for a State officer and a State employee.

However, the use of the word "includes" in former Art. 78A, § 16C(d)(1) and (2) indicated that the list of personnel was illustrative, not exhaustive, of State officers and State employees, and, therefore, specific reference to other officers and employees is retained in item (13) of this section. Thus, the word "means" is substituted for the former word "includes", in the introductory language of this section.

In item (4) of this section, the word "described" is substituted for the former word "defined", since the referenced TR § 6-204(n) does not define "key employee".

In item (6) of this section, the defined term "county" is substituted for the former word "local", for clarity.

In item (7) of this section, a specific reference to "the Baltimore City Board of School Commissioners" is added for clarity. In light of this addition, the former cross-reference "as defined in § 1-101(d) of the Education Article" is deleted as unnecessary.