

limitation on the actions brought by the Attorney General. Similarly, in (g)(2) of this section, the former description of relief available is revised as part of the provisions for actions by the Attorney General.

Subsection (b)(2) of this section is revised as a scope provision, rather than as part of a definition, for accuracy since the individuals enumerated in subsection (b)(2) were specifically referred to as an "employee". Thus, subsection (b)(2) also is revised to apply to an applicant "for assignment", rather than for employment.

Similarly, subsection (b)(3) of this section is revised as a scope provision, rather than as part of a definition, since the individuals enumerated in subsection (b)(3) commonly are considered to be employees.

In subsections (c) and (d)(1) of this section, the former words "polygraph" and "examination" are deleted as included in the words "similar test".

In subsection (g)(1)(i) of this section, the former word "conciliation" is deleted as included in the word "mediation".

As to the Federal Employee Polygraph Protection Act of 1988, see 29 U.S.C. §§ 2001 through 2009. The federal Act specifies that, with certain specific exceptions, the Act does not preempt any State law that "prohibits lie detector tests or is more restrictive with respect to lie detector tests". See 29 U.S.C. § 2009. Therefore, this section, which is broader in scope and more restrictive, is retained.

Defined terms: "Commissioner" § 3-101

"County" § 1-101 "Person" § 1-101

3-703. VOLUNTEER ACTIVITIES.

AN EMPLOYER MAY NOT DISCHARGE AN EMPLOYEE FOR PARTICIPATION IN AN ACTIVITY OF A CIVIL AIR PATROL, CIVIL DEFENSE, VOLUNTEER FIRE DEPARTMENT, OR VOLUNTEER RESCUE SQUAD IF:

(1) THE ACTIVITY IS IN RESPONSE TO AN EMERGENCY THAT THE GOVERNOR DECLARES ON THE REQUEST OF THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION; AND

(2) THE EMPLOYEE SUBMITS WRITTEN PROOF THAT THE PARTICIPATION OF THE EMPLOYEE WAS REQUIRED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 100, § 109.

In the introductory language of this section, the word "or" is substituted for the former word "and" to clarify that participation may be in any one of the activities described.