

As to the power of the Attorney General to collect a civil penalty under this title, see § 5-207(2).

Defined term: "Commissioner" § 5-101

5-812. DISPOSITION.

EACH CIVIL PENALTY UNDER THIS TITLE SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 40(g).

SUBTITLE 9. SHORT TITLE.

5-901. SHORT TITLE.

THIS TITLE MAY BE CITED AS THE "MARYLAND OCCUPATIONAL SAFETY AND HEALTH ACT".

REVISOR'S NOTE: This section is added to provide a convenient reference to this title. This addition is based on practice.

GENERAL REVISOR'S NOTE TO TITLE :

Throughout this title, references to the former "subtitle", which was comprised of Art. 89, §§ 28 through 49D, are revised as references to this "title" even though the revised title omits Art. 89, § 49B. In 1973, the General Assembly enacted Art. 89, §§ 28 through 49A under the heading "Occupational Safety". The following year when the General Assembly added § 49B to the same subtitle, the intent seemed to be to make only specific sections of the subtitle applicable, since § 49B(k) enumerates the sections of Art. 89 that are applicable to § 49B. However, the technical effect of Ch. 742, Acts of 1974, was to make elevator inspection part of the occupational safety and health program. The Commission administers § 49B through the Elevator Safety Inspection Program, which is outside the office of the Assistant Commissioner for Maryland Occupational Safety and Health. Furthermore, although the former law did not have an official short title, the Commissioner considered Art. 89, §§ 28 through 49A, 49C, and 49D to comprise the Maryland Occupational Safety and Health Act. See generally the 1989 Annual Report of the Division of Labor and Industry.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that Art. 27, §§ 324 through 333 contemplate licensure for workshops "where clothing, hats, gloves, furs, feathers, artificial flowers, purses, cigars or cigarettes" are made wholly or partly and for homework. Representatives of the Division of Labor and Industry have indicated the provisions have been superseded by the occupational safety and health provisions and that the division generally has not enforced the provisions for 25 years. The budget documents indicated that a homework license was issued in 1974 while workshop licenses continued to be issued until at least 1987.