

Subsections (b) and (c) of this section are revised to incorporate the meaning of the term “localized” but do not use the term itself. Under former Art. 95A, § 20(g)(2) and (5)(i), “localized” employment could be performed entirely within a state or both within and outside a state. Since the term “localized” incorporated divergent concepts and was used only in former § 20(g)(2) and (5), it seemed unnecessary and potentially misleading.

In subsection (b)(1)(i) of this section, the word “possessed” is deleted as unnecessary in light of the word “hol[d]”.

In the introductory language of subsection (c) of this section, the words “partly in” are substituted for the former words “both within and without”, for clarity.

In subsection (c)(1) of this section, the word “including” is substituted for the former words “for example”. As to the interpretation of the word “including”, see Art. 1, § 30 of the Code.

In the introductory language of subsection (d)(2) of this section, the phrase “except as provided in § 8-210(b) of this subtitle” is substituted for the phrase “except those vessels described in paragraph (v) of this subsection”, which formerly was part of the definition of “American vessel”. The provision to which the former phrase referred describes services performed by an officer or crew member of a vessel that are not covered by unemployment insurance, rather than describing a type of vessel that is excluded from the definition of “American vessel”. Therefore, the former phrase is more appropriately revised as an exception to coverage by unemployment insurance rather than part of the definition of “American vessel”.

Also in the introductory language of subsection (d)(2) of this section, the former phrase “[n]otwithstanding §§ 20(g)(2), 20(g)(5)” — now subsections (c) and (d)(1) of this section — is deleted as unnecessary, since those provisions are not in conflict with the provisions of subsection (d)(2).

In subsection (d)(2)(ii) of this section, the words “supervised” and “managed” are deleted as unnecessary in light of the words “controlled” and “directed”.

In subsection (d)(3) of this section, the word “employer” is carried over from former Art. 95A, § 20(g)(7), since the provision seems to apply to “one who employs” rather than to “one who is required to pay contributions”. See revisor’s note to § 8-101(m) of this title.

In subsection (d)(3)(ii)3 of this section, the words “a plurality of the partners or trustees are residents of this State” are substituted for the former words “the number of the partners or trustees who are residents of this State is greater than the number who are residents of any one other state”, for brevity.

Defined terms: “Covered employment” § 8-101

“Employer” § 8-101 “Employing unit” § 8-101

“State” §§ 1-101 and 8-101 “Wage” § 8-101