

AN INDIVIDUAL WHO IS A COVERED EMPLOYEE UNDER SUBSECTION (B) OF THIS SECTION IS DEEMED TO BE EMPLOYED ENTIRELY WITHIN THIS STATE IF THE MOUTH, PRINCIPAL ENTRANCE, OR TIPPLE OF THE MINE IN OR ABOUT WHICH THE INDIVIDUAL WORKS IS WITHIN THIS STATE, EVEN IF:

(1) A DRIFT, SHAFT, SLOPE, OR OTHER UNDERGROUND TUNNEL EXTENDS INTO AN ADJOINING STATE; AND

(2) THE INDIVIDUAL IS INJURED OR KILLED WHILE WORKING IN THE MINE WITHIN THE ADJOINING STATE.

REVISOR'S NOTE: Subsection (a)(1) of this section is added as the standard introductory language to a definition.

Subsections (a)(2) through (c) of this section are new language derived without substantive change from former Art. 101, § 67(12).

In subsection (a)(2) of this section, the term "mine" is substituted, as the defined term, for the former term "[m]ining", since "mining" did not appear in former Art. 101, but "mine" did.

Also in subsection (a)(2) of this section, the former word "heading" is deleted as synonymous with the word "drift".

Also in subsection (a)(2) of this section, the former word "subterranean" is deleted as synonymous with the word "underground".

In subsection (a)(3) of this section, the former words "ore" and "mineral substance" are deleted as included in the word "mineral".

In subsection (b) of this section, the word "extract" is substituted for the former phrases "securing, removing, and taking out from under the ground" and "obtaining and removing therefrom", for brevity.

Also in subsection (b) of this section, the former phrases "or in the case of his death, to his dependent relatives, otherwise entitled" are deleted as unnecessary in light of the provisions on the eligibility of dependents for compensation under Subtitle 5 of this title.

In subsection (c)(1) of this section, the word "drift" is substituted for the former word "heading" to conform to subsection (a)(2) of this section. Similarly, the word "underground" is substituted for the former word "subterranean".

In subsection (c)(2) of this section, the former phrase "beyond the lines of this State" is deleted as unnecessary in light of the phrase "within the adjoining state".

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that this section is unnecessary in light of §§ 9-202 and 9-203 of this subtitle. Subsection (b) of this section