

provides that “[a]n individual is a covered employee while working in or about a mine to extract minerals”. This is unnecessary in light of § 9-202, which provides that “an individual ... is a covered employee while in the service of an employer under an express or implied contract of apprenticeship or hire”. In addition, subsection (b) of this section is potentially misleading in that it erroneously implies that an individual who works at a mine site but is not directly involved in extracting minerals is not a covered employee. Subsection (c) of this section provides that an individual who is a covered employee under subsection (b) of this section remains covered when working in an underground tunnel that extends into another State. This is unnecessary in light of § 9-203(a)(2) of this subtitle, which provides that an individual who is a covered employee and regularly employed in the State, remains covered while working outside of the State on a casual, incidental, or occasional basis. The General Assembly may wish to consider deleting this section.

Defined terms: “Covered employee” § 9-101
 “State” § 1-101

9-217. OFFICIAL OF POLITICAL SUBDIVISION.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, EACH APPOINTED OR ELECTED OFFICIAL OF A POLITICAL SUBDIVISION IS A COVERED EMPLOYEE WHILE PERFORMING AN OFFICIAL DUTY.

(B) MEMBER OF BOARD OR COMMISSION.

A NONSALARIED MEMBER OF A BOARD OR COMMISSION IN ALLEGANY, CARROLL, CECIL, CHARLES, FREDERICK, GARRETT, QUEEN ANNE'S, ST. MARY'S, SOMERSET, WASHINGTON, OR WORCESTER COUNTY IS NOT A COVERED EMPLOYEE.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the first sentence of former Art. 101, § 21(b)(4), as that sentence related to officials.

Subsection (b) of this section is new language derived without substantive change from former Art. 101, § 21(c)(5)(i), as that subparagraph related to a nonsalaried member of certain boards or commissions.

In subsection (a) of this section, the former word “officer” is deleted as unnecessary in light of the broader word “official”.

In subsection (b) of this section, the reference to Cecil County is added, although Ch. 523, Acts of 1989, struck the reference to Cecil County from former Art. 101, § 21(c)(5)(i). By its title, Ch. 523 was limited in effect to members of volunteer fire companies and rescue squads. See Md. Constitution, Art. III, § 29.

Defined term: “Covered employee” § 9-101