

In subsection (a)(1) of this section, the name "Maryland Emergency Management Agency Act" is substituted for the former name "Maryland Emergency Management and Civil Defense Act" to conform to Art. 16A, § 1 of the Code, as enacted by Ch. 674, Acts of 1989.

Also in subsection (a)(1) of this section, the reference to "the Maryland Emergency Management Agency" established under the Act is substituted for the former reference to "the civil defense corps of this State", since the Act does not establish a "civil defense corps".

In subsection (a)(2) of this section, the reference to Cecil County is added, although Ch. 523, Acts of 1989, struck a reference to Cecil County from former Art. 101, § 21(b)(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.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that it is unclear whether volunteer members and trainees of local organizations for emergency management are intended to be covered employees. In addition to establishing the Maryland Emergency Management Agency, the Maryland Emergency Management Agency Act requires each political subdivision of the State to establish a local organization for emergency management. The third sentence of former Art. 101, § 21(b)(4) provided that regularly enrolled volunteer members and trainees of "the civil defense corps of this State" are covered employees. The phrase "of this State" appeared to limit coverage to volunteer members and trainees of the State agency. However, the introductory language of that former sentence "[e]xcept as provided in ... [former Art. 101, § 21](c)(5)", referred to a provision that applied only to enumerated counties. The reference to the enumerated counties arguably indicates that volunteer members and trainees of local organizations are intended to be covered. The General Assembly may wish to consider clarifying whether volunteer members and trainees of local organizations are covered employees.

Defined term: "Covered employee" § 9-101

#### 9-233. VOLUNTEER — DEPUTY SHERIFF IN CECIL COUNTY.

EACH VOLUNTEER DEPUTY SHERIFF OF CECIL COUNTY IS A COVERED EMPLOYEE WHILE PERFORMING WORK ASSIGNED BY THE SHERIFF OF THE COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 35B(a).

The former word "duty" is deleted as unnecessary in light of the word "work".

As to the substitution of the defined term "covered employee" for the former reference to "workmen for wages ... engaged in extra-hazardous employment within ... this article", see the revisor's note to § 9-101(f) of this article.