

(2) THE BOARD OF COUNTY COMMISSIONERS FOR WORCESTER COUNTY MAY PROVIDE BY RESOLUTION FOR MEMBERS OF A VOLUNTEER COMPANY OR AN ADVANCED LIFE SUPPORT UNIT IN THE COUNTY TO BE COVERED EMPLOYEES WHILE ON DUTY.

(Y) EMPLOYER.

FOR THE PURPOSES OF THIS TITLE, A MEMBER OF A VOLUNTEER COMPANY WHO IS A COVERED EMPLOYEE UNDER THIS SECTION IS AN EMPLOYEE OF THE POLITICAL SUBDIVISION OF THE STATE WHERE THE VOLUNTEER COMPANY IS ORGANIZED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 21(c)(5), § 34(a), (c)(1), (2), (3)(i), (4), (5), and (6)(ii), (d), and (e), the second sentence of § 21(b)(4), § 35C(a)(1) and, as they related to volunteer fire companies, (b) and (d).

Subsections (j), (m), (n)(2), (o)(1)(ii), (u), and (w)(1) of this section are rephrased as an affirmative statement of coverage for all members of volunteer companies in Dorchester, Harford, Howard, Kent, Talbot, and Wicomico Counties. Baltimore City is not included since it does not have any volunteer companies.

In subsections (b), (l), and (t) of this section, the former references to "advanced life support units" have been deleted since there did not appear to be a legislative intent to cover advanced life support units in Allegany, Garrett, and Somerset Counties. The references to "Allegany County" and "Garrett County" were added to former Art. 101, § 21(c)(5) by Ch. 676, Acts of 1990 (H.B. 1288) and the reference to "Somerset County" was added to that section by Ch. 552, Acts of 1990 (H.B. 262). The same year, the references to "advanced life support units" were added by Ch. 438, Acts of 1990 (S.B. 219). Therefore, former Art. 101, § 21(c)(5) did not refer to advanced life support units at the time that the references to Allegany, Garrett, and Somerset Counties were added to that section. The title of Ch. 676, Acts of 1990 stated that the purpose of the enactment was to allow the County Commissioners "to provide for workers' compensation for volunteer fire companies and rescue squads". Similarly, the title of Ch. 552, Acts of 1990 stated that the purpose of the enactment was "to provide for inclusion under the Workers' Compensation laws of members of volunteer fire companies and rescue squads". Neither enactment made reference to advanced life support units. The bill review letter by the Attorney General stated that "[n]othing in the title, language or history of House Bills 262 and 1288 indicate that they were intended to authorize these counties to cover volunteers who are not members of volunteer fire departments or rescue squads". The Attorney General also stated that it could not be said that Senate Bill 219 indicated a legislative intent that members of a volunteer advanced life support unit be covered. The Attorney General concluded that "volunteers for advanced life support units may only be covered in Allegany, Garrett, and Somerset Counties if those counties consider those volunteers to be rescue squad