

coverage mandatory and, thus, superseded former Art. 101, § 34(b-1), which is deleted. Similarly, former Art. 101, § 21(b)(4) superseded former Art. 101, § 34(d), but a still-later enacted exemption for Carroll County revived former § 34(d). Its provisions, however, do not affect rescue squads.

Former Art. 101, § 21(b)(4) did not supersede former Art. 101, § 34(a), which merely extended the coverage mandated under § 21(b)(4).

The Committee also notes that the first sentence of former Art. 101, § 34(c)(4) made "this section" applicable only to actively participating members. If the former cross-reference to "section" was correct, then the limitation would apply not only to Kent County but to other counties operating under provisions derived from former Art. 101, § 34. However, the limited scope of the second sentence of former Art. 101, § 34(c)(4), which applied only to Kent County, and former Art. 101, § 34(c)(3)(i), which limited "this section" to actively participating members in "Howard County", indicate the former cross-reference was incorrect.

Defined terms: "Compensation" § 9-101

"Covered employee" § 9-101

#### 9-235. WORKER FOR AID OR SUSTENANCE.

AN INDIVIDUAL IS NOT A COVERED EMPLOYEE WHILE PERFORMING A SERVICE ONLY FOR AID OR SUSTENANCE FROM A CHARITABLE OR RELIGIOUS ORGANIZATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 101, § 21(c)(2).

The word "individual" is substituted for the former word "person", since this title covers only a human being. As to the definition of "person", see § 1-101 of this article.

Defined term: "Covered employee" § 9-101

#### 9-236. SERVICE IN COURSE OF BUSINESS, OCCUPATION, PROFESSION, OR TRADE OF EMPLOYER.

AN INDIVIDUAL IS A COVERED EMPLOYEE WHILE PERFORMING A SERVICE FOR COMPENSATION IN THE COURSE OF THE BUSINESS, OCCUPATION, PROFESSION, OR TRADE OF AN EMPLOYER IF, IN RELATION TO THE SERVICE, THE INDIVIDUAL:

- (1) DOES NOT MAINTAIN A SEPARATE BUSINESS;
- (2) NEITHER REPRESENTS TO THE PUBLIC THAT THE INDIVIDUAL PROVIDES THE SERVICE NOR PROVIDES THE SERVICE TO THE PUBLIC; AND
- (3) DOES NOT HAVE A COVERED EMPLOYEE.