Unofficial Copy K1 2004 Regular Session 4lr2103

By: Delegates Glassman, Barkley, Boutin, Cluster, Conroy, Conway,

Donoghue, Elmore, Frank, Heller, Impallaria, James, Jennings, Kach, Kaiser, Leopold, Malone, Mandel, McDonough, Moe, Parrott, Quinter,

Rudolph, Smigiel, Stern, Stull, Weir, Weldon, and Wood

Introduced and read first time: February 13, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 Workers' Compensation - Volunteer Fire and Rescue Companies

- 3 FOR the purpose of providing that a member of a volunteer fire and rescue company
- 4 is a covered employee while on duty; repealing certain provisions relating to the
- 5 status of members of volunteer fire and rescue companies in individual counties
- 6 under the Maryland Workers' Compensation Act; and generally relating to
- 7 workers' compensation benefits for members of volunteer fire and rescue
- 8 companies.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Labor and Employment
- 11 Section 9-234
- 12 Annotated Code of Maryland
- 13 (1999 Replacement Volume and 2003 Supplement)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 15 MARYLAND, That the Laws of Maryland read as follows:

16 Article - Labor and Employment

- 17 9-234.
- 18 (a) (1) In this section the following words have the meanings indicated.
- 19 (2) (i) "On duty" means:
- 20 1. fighting a fire;
- 21 2. performing a duty of a member of an advanced life support
- 22 unit or an ambulance, first aid, or rescue squad in a volunteer company;
- 23 3. except as provided in subparagraph (ii) of this paragraph,
- 24 performing a duty that the volunteer company assigns to the member;

HOUSE BILL 1127

1 2	government adopted	for the vo	4. lunteer c	performing a duty that a written bylaw or rule of ompany assigns to the member;
3	2, 3, or 4 of this subp	aragraph;	5.	going to or from performing a duty included under item 1,
5 6	6. accompanying an accident or fire victim while being transported to a hospital in a helicopter; or			
7 8	accompanying a victi	m under i	7. item (6) (returning to the home station of the individual after of this subparagraph.
11	(ii) "On duty" does not include attendance of a member of a volunteer company at a social function unless a written bylaw or rule of government adopted for the volunteer company requires the attendance or participation of the member.			
13	(3) "Volunteer company" means:			
14	(i) a volunteer advanced life support unit;			
15	(ii) a volunteer ambulance company or squad;			
16		(iii)	a volunt	eer fire company or department; and
17		(iv)	a volunt	eer rescue company, department, or squad.
	(b) An individual who is a covered employee under subsection $[(h)(2), (k), (n), (o)(2), (p)(1)(ii), (r)(3), (v), or (x)(1)]$ (C) of this section continues to be a covered employee while:			
21 22	(1) accompanying an accident or fire victim who is being transported to a hospital in a helicopter; and			
23 24	(2) returning to the home station of the individual after accompanying a victim under item (1) of this subsection.			
25 26	[(c) (1) Unless an election is made under paragraph (2) of this subsection, a member of a volunteer company in Allegany County is not a covered employee.			
	(2) The Board of County Commissioners for Allegany County may provide by resolution for members of a volunteer company in the county to be covered employees while on duty.			
30 31	(d) A member of a volunteer company in Anne Arundel County is a covered employee while on duty.			
32 33	(e) A member of a volunteer company in Baltimore County is a covered employee while on duty.			

employees while on duty.

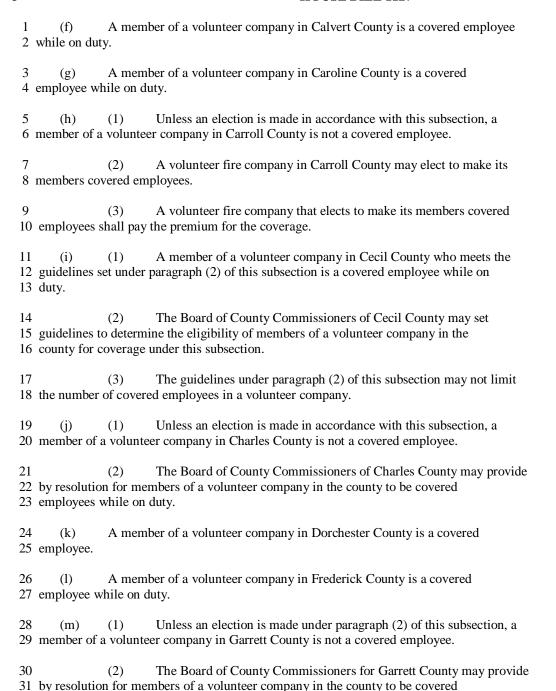
33

35

(n) 34 employee.

(o)

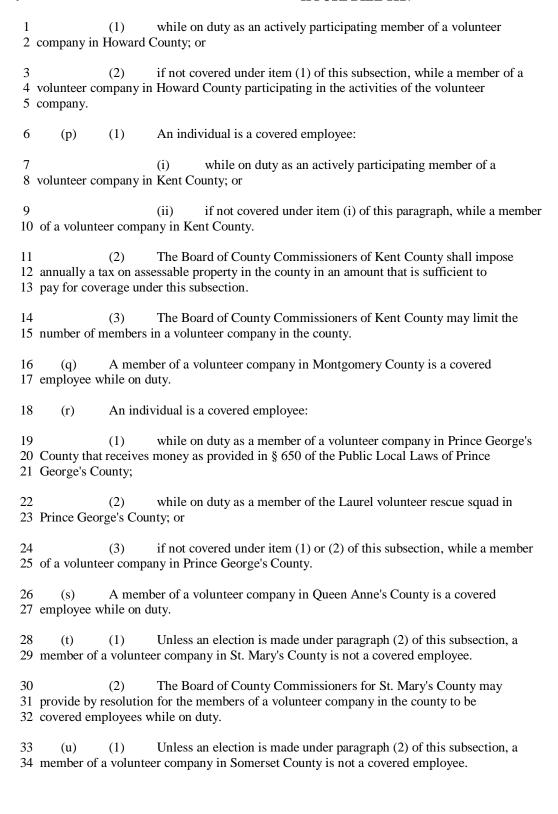
HOUSE BILL 1127



A member of a volunteer company in Harford County is a covered

An individual is a covered employee:

HOUSE BILL 1127



HOUSE BILL 1127

