

writing, either in the contract of employment, or by a separate written instrument, any right to compensation to which he would be entitled because of the pre-existing permanent partial disability, in the event of subsequent accidental injury, and in such cases the employee so suffering an additional accidental injury, shall be entitled to the compensation for the disability resulting solely from such additional accidental injury. No such waiver shall be effective unless the pre-existing permanent partial disability shall be plainly described therein, nor unless the same be executed by the employee with knowledge of its contents prior to the time of the accident upon which the claim is based.

(c) The compensation for the foregoing specific injury shall be paid in addition to, and consecutively with, the compensation hereinafter provided in subsection (2) of this section. If any employee dies from any cause or causes not compensable under this article, the right to any compensation payable under this subsection, unpaid at the date of his death, shall survive to his surviving dependents as the Commission may determine, if there be such surviving dependents, and if there be none such, then to his wife and children under twenty-one years of age if there was, at the time of his death, a legal obligation on the part of said employee to support his wife, and if there was no such obligation, then to his children under twenty-one, if any, alone.

(2) In case of temporary total disability, sixty-six and two-thirds per centum of the average weekly wages shall be paid to the employee during the continuance thereof, but not to exceed a maximum of ~~forty-eight~~ ~~sixty~~ FIFTY-FIVE dollars per week, and not less than a minimum of eighteen dollars per week, unless the employee's established weekly wages are less than eighteen dollars per week at the time of the injury, in which event he shall receive compensation equal to his full wages; but in no case to continue more than four years. Nothing in this subsection shall be construed or applied to affect or change the law as to any such injury or strain which occurred prior to the effective date of this subsection.

SEC. 2. *And be it further enacted,* That this Act shall take effect June 1, 1965.

Approved April 8, 1965.

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## CHAPTER 322

(House Bill 270)

AN ACT to add new Sections 36(3a) and 36(4a) to Article 101 of the Annotated Code of Maryland (1964 Replacement Volume), title "Workmen's Compensation," subtitle "Claims and Compensation; Benefits," to follow immediately after Sections 36(3) and 36(4) thereof, respectively, amending the Workmen's Compensation Laws concerning benefits payable to certain persons suffering a permanent partial disability under these laws, in order to create