

CHAPTER 721
(House Bill 1037)

AN ACT to repeal and re-enact, with amendments, Section 36(1)(b) of Article 101 of the Annotated Code of Maryland (1964 Replacement Volume and 1968 Supplement), title "Workmen's Compensation," subtitle "Claims and Compensation; Benefits," to provide that in the absence of a waiver of pre-existing permanent partial disability, the Commission shall apportion and make award only for the permanent disability caused by the subsequent accidental injury.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 36(1)(b) of Article 101 of the Annotated Code of Maryland (1964 Replacement Volume and 1968 Supplement), title "Workmen's Compensation," subtitle "Claims and Compensation; Benefits," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

36.

(1)(b) Whenever any person who has suffered the loss, or loss of use of a hand, arm, foot, leg or eye, shall enter into a contract of employment, it shall be permissible for the employee to waive in 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 preexisting 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 preexisting 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.

In the absence of any waiver of preexisting permanent partial disability, the Commission in determining any case involving a subsequent accidental injury shall apportion and make award only for the permanent disability caused by the subsequent accidental injury.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1969.

Approved May 14, 1969.

CHAPTER 722
(House Bill 1040)

AN ACT to repeal and re-enact, with amendments, Section 23(d) of Article 101 of the Annotated Code of Maryland (1968 Supplement), title "Workmen's Compensation," subtitle "Application of Article; Extra-Hazardous Employment," to provide that this section shall apply only to cases where there has been an injurious exposure for a period of 90 days subsequent to June 1, 1967.