

determining the amount of an award a person is eligible to receive under the terms of the Criminal Injuries Compensation Act.

BY repealing and reenacting, with amendments,

Article 26A - Criminal Injuries Compensation Act
Section 12(b)
Annotated Code of Maryland
(1973 Replacement Volume and 1978 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 26A - Criminal Injuries Compensation Act

12.

(b) Any award made pursuant to this article shall be made in accordance with the schedule of benefits and degree of disability as specified in § 36 of Article 101 of the Code, as that section exists on July 1, 1974, excluding § 66 entitled "Subsequent Injury Fund." HOWEVER, THE TERM "AVERAGE WEEKLY WAGES" AS APPLIED TO DETERMINE THE AWARD IN ACCORDANCE WITH § 36 OF ARTICLE 101, DOES NOT INCLUDE TIPS, GRATUITIES AND WAGES THAT ARE UNDECLARED ON THE CLAIMANT'S STATE OR FEDERAL INCOME TAX RETURNS IN THE APPLICABLE YEARS. If a claimant does not have "average weekly wages" so as to qualify under the formula in § 36 of Article 101, the award shall be in an amount equal to the arithmetic average between the maximum and minimum awards listed in the applicable portion of that section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1979.

Approved May 29, 1979.

CHAPTER 549

(House Bill 444)

AN ACT concerning

Health Care Claims - Panel Candidates

FOR the purpose of extending the time by which the Director of the Health Claims Arbitration Office is required to submit to the parties lists of arbitration panel candidates and a copy of certain statutory provisions.