

attorneys for the fund, in writing, that the fund is, or may be involved in such case, and implead the fund, in writing, as a party. The fund may be impleaded at any stage of the proceedings, either before the Commission, or on appeal; but if impleaded on appeal from the decision of the Commission or on further appeal to the Court of Special Appeals, the Court shall suspend further proceedings and remand the case to the Commission for further proceedings in order to afford the fund an opportunity to defend the claim.

(6) Any waiver which shall have been or shall hereafter be executed pursuant to the provisions of this article by any employee who has previously lost or lost the use of one hand, one arm, one foot, one leg, or one eye, and who becomes permanently and totally disabled because of the loss of or loss of use of another of such members or organs by reason of an accidental injury, arising out of and in the course of his employment after June 1, 1945, shall not bar any such employee from the benefits and payments provided by this section, and any such employee shall be entitled to receive the payments herein provided, if otherwise he comes within the provisions hereof, notwithstanding the execution or existence of any such waiver by any such employee.

(7) (a) The fund shall have the staff and employees which are authorized in the annual State budget.

(b) The fund annually shall submit its budget to the Governor for inclusion in the next State budget submitted to the General Assembly.

(C) APPROPRIATION OF FUNDING FOR THE BUDGET OF THE SUBSEQUENT INJURY FUND SHALL BE MADE FROM THE FUND CREATED UNDER SUBSECTION (2) OF THIS SECTION.

(8) (a) There is a Subsequent Injury Fund Board.

(b) (i) The Board is composed of 3 members, 1 member each shall represent labor, management, and the public.

(ii) The members shall be appointed by the Governor, with the advice and consent of the Senate.

(iii) The terms of members shall be for 4 years.

(iv) Vacancies shall be filled by the Governor in the same manner as original appointments are made.

(c) The Board shall supervise the operation and administration of the Subsequent Injury Fund.

(d) The Board shall appoint a director for the fund who shall receive the salary provided in the annual State budget.