

according to the terms of any award within [thirty] 30 days thereafter, then, unless an application for review has been timely made or a notice of appeal has been timely served in the interim, the award shall be payable out of the Fund created under this subtitle in the manner and subject to the conditions hereinafter set forth.

(b) Promptly after the elapse of the 30 day period provided in subsection (a) of this section the Commission shall notify the employer that the employer is in default. The employer shall make prompt payment of the award. If the employer objects to the award, he shall, within 30 days, notify the Commission of the reasons for the objection. The employer's notice to the Commission shall serve as an application for review under the provisions of § 95 of this article.

(c) If the employer does not notify the Commission of his objection as provided in subsection (b) and does not make payment of the award, the claimant may apply to the [Commission] DIRECTOR OF THE UNINSURED EMPLOYERS' FUND BOARD for payment from the Fund.

(d) If the Fund makes payment as directed by the Commission, it shall be subrogated to the rights of the claimant against the UNINSURED employer, as set forth in § 96 of this article, and may institute a civil action to recover moneys paid under the award, or refer the matter to the appropriate authority for prosecution under § 19(f) of this article, or both.

91.

(a) There is [hereby created a fund which shall be known as the "Uninsured Employers' Fund"] AN UNINSURED EMPLOYERS' FUND to provide for the payment of awards against uninsured [defaulting] employers in accordance with the provisions of this subtitle.

(B) (1) THE FUND SHALL HAVE THE STAFF AND EMPLOYEES WHICH ARE AUTHORIZED IN THE ANNUAL STATE BUDGET.

(2) THE FUND ANNUALLY SHALL SUBMIT ITS BUDGET TO THE GOVERNOR FOR INCLUSION IN THE NEXT STATE BUDGET SUBMITTED TO THE GENERAL ASSEMBLY.

(C)(1) THERE IS AN UNINSURED EMPLOYERS' FUND BOARD.

(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.