

permanent disability. In cases of permanent total disability under § 36(1) of this article, the dollar amount credited to the fund for prior awards shall be deducted from any award made against the fund. The deduction shall be made by reducing the weekly payments made by the fund until the amount of the award granted by the other commission is offset, as lump sum payments are offset under Section 49 of this article. In the event of any award against the Subsequent Injury Fund, there shall be a right of appeal by the Subsequent Injury Fund, as provided in § 56(a) of this article. In any case involving payment from the fund, the Commission, or any party in interest, shall notify the State Treasurer and/or the attorney or the 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.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in Article 101, § 66(5).

Occurred: Ch. 591, Acts of 1987.

74.

It shall be the duty of the commissioners of the State Accident Fund to classify any industries subject to this article mentioned or not mentioned which are insured in the State Accident Fund. And the commissioners shall have power on or before the first day of January of each year to reclassify such industries, or [oftener] MORE OFTEN, if, in the opinion of the commissioners, the same should be deemed just and advantageous; or to create additional classifications with respect to their respective degrees of hazard and determine the risk of the different classes, and fix the rate of premium for each class, according to the risks of the same sufficiently large to guarantee a workmen's compensation fund from year to year. It shall be the duty of the commissioners in determining the rates, in order to create a fund sufficiently large to guarantee a workmen's compensation fund from year to year to also reclassify from time to time the industries or occupations, in order that there may be a flexible adjustment of the rates as the hazard fluctuates, and to use all means in their power through the rate adjustment to lessen the opportunity for injuries to the workmen. The classification so determined and the rates of premium established shall be applicable for such year unless a reclassification should, in the opinion of the commissioners, necessitate a change of rate within such year; and based on each