

(1990 Replacement Volume and 1992 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 41 – Governor – Executive and Administrative Departments

4-701.

(a) A "Sundry Claims Board" is created for the purpose of administering benefits whenever a prisoner in the Patuxent Institution [or in the Maryland Penitentiary, House of Correction], THE BALTIMORE CITY DETENTION CENTER, or any [other] institution under the supervision of the Division of Correction (1) is engaged in any [extra-hazardous] work for which wages or a stipulated sum are paid by said institution, and (2) sustains a permanent partial or permanent total disability as a result of said A PERSONAL injury ARISING OUT OF AND IN THE COURSE OF WORK FOR WHICH WAGES OR A STIPULATED SUM ARE PAYABLE BY ONE OR MORE OF THE INSTITUTIONS, and (3) this disability incapacitates the prisoner or materially reduces his earning power in such work. For the purpose of this subtitle, the terms ["extra-hazardous work,"] "permanent partial disability" and "permanent total disability" have the meanings which currently are given to them in [The Maryland Workers' Compensation Act] TITLE 9 OF THE LABOR AND EMPLOYMENT ARTICLE. The Sundry Claims Board shall be part of the Department of Public Safety and Correctional Services.

(b) The injured prisoner shall have the right to file a claim for compensation under this subtitle, not later than either twelve (12) months after his release from the institution, or two years from the date of the injury, whichever last occurs, with the Sundry Claims Board. The Sundry Claims Board consists of the Secretary of Budget and Fiscal Planning, or his representative, the Comptroller of the State, or his representative, and the Secretary of Public Safety and Correctional Services, or his representative. The Governor shall designate one of the members to be the chairman and another to be the secretary of the Board.

(c) The Board may receive original papers representing claims against the State of Maryland under this subtitle, for the payment of which no money has been appropriated. Such claims shall be filed and properly designated either by number or short title, or both. Any member of the Board may administer oaths, compel the attendance of witnesses, and compel the production of records, books and papers pertinent to the claim. The Board may petition any court having jurisdiction for an order to punish as contempt of court any disobedience of such a subpoena or refusal to be sworn or to answer as a witness, or failure to produce records, books and papers.

(d) After investigation of any such claim the Board shall either approve, approve with conditions and limitations, or disapprove it. The Board shall append to the original papers representing such claim, a concise statement of facts developed by the proceedings upon which its approval or disapproval is based. Such original papers and appended statements shall be filed in the office of the Secretary of Public Safety and Correctional