

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 3 of the Code.

In subsection (b) of this section, the former phrase "except that the members first appointed shall serve for terms of five years, four years and three years respectively" is deleted as obsolete, because the phrase related only to the initial members of the Board who have since left office.

The only other changes are in style.

#### 818. POWERS AND DUTIES.

The Board, subject to the authority of the Secretary [of Public Safety and Correctional Services] as set forth in Article 41 of the Code, shall have the following powers and duties:

[(a)](1) To establish and maintain an office and to appoint and prescribe the duties of a claims examiner, a secretary, clerks, and [such] ANY other employees and agents as may be necessary. Except as otherwise provided by law, these employees are subject to the provisions of the State Personnel and Pensions Article that govern classified service employees[.];

[(b)](2) To adopt, promulgate, amend and rescind suitable rules and regulations to carry out the provisions and purposes of this [article] SUBHEADING, including rules for the approval of attorneys' fees for representation before the Board or before the court upon judicial review as [hereinafter] PROVIDED UNDER THIS SUBHEADING[.];

[(c)](3) To request from the State's Attorney, Department of State Police, county or municipal police departments [such] ANY investigation and data as will enable the Board to determine if, in fact, a crime was committed or attempted, and the extent, if any, to which the victim or claimant was responsible for [his] THE CLAIMANT'S OR VICTIM'S own injury[.];

[(d)](4) To hear and determine all claims for awards filed with the Board [pursuant to this article] UNDER THIS SUBHEADING, and to reinvestigate or reopen cases as the Board deems necessary[.];

[(e)](5) To direct medical examination of victims[.];

[(f)](6) To hold hearings, administer oaths or affirmations, examine any person under oath or affirmation and to issue summons requiring the attendance and giving of testimony of witnesses and require the production of any books, papers, documentary or other evidence. The powers provided in this subsection may be delegated by the Board to any member or employee [thereof] OF THE BOARD. A summons issued under this subsection shall be regulated by the Maryland Rules of Procedure[.];

[(g)](7) To take or cause to be taken affidavits or depositions within or without the State[.]; AND

[(h)](8) To render each year to the Governor, to the Secretary [of Public Safety and Correctional Services], and, subject to § 2-1312 of the State Government Article, to the General Assembly a written report of the activities of the Board.

DRAFTER'S NOTE: This section is transferred from Art. 26A, § 4 of the Code.