

In paragraph (2)(i) of this subsection, the word "bonus" is substituted for the former word "premium" to avoid confusion with references in this subtitle to a "premium" for insurance.

In paragraph (2)(iv) of this subsection, the reference to an "employer and employee" is substituted for the former reference to "parties", for clarity.

The third clause of the second sentence of former Art. 101, § 73, which specified inclusion of compensation "whether payable in money, board or otherwise", is deleted as unnecessary in light of the broad reference to "all earnings" in paragraph (1) of this subsection and the specific reference to "board or a similar advantage" in paragraph (2)(iv) of this subsection. See also the definition of "includes" in Art. 1, § 30 of the Code. Similarly, the former specific references to "salary" and "piece work" are deleted.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the third sentence of former Art. 101, § 73 required the value of board or similar advantage be set at the time of hiring if the advantage is to be included in the computation of wages. The former sentence may be read erroneously to require use of the value at time of hiring, rather than the current value. The Workers' Compensation Commission looks only to the wage at the time of an accident, so, by necessity, premium rates must reflect current wages paid. The General Assembly may wish to review whether the requirement that a value for board or similar advantage be set at the time of hiring is necessary.

The Committee also notes that the General Assembly may wish to clarify that "all earnings" is intended to include "tips".

10-102. RESERVED.

10-103. RESERVED.

PART II. FUND.

10-104. ESTABLISHED.

THERE IS AN INJURED WORKERS' INSURANCE FUND.

REVISOR'S NOTE: This section formerly appeared as the first sentence of former Art. 101, § 70, as that sentence related to creation of the Fund.

It is set forth as a separate section for emphasis.

The only other changes are in style.

10-105. INDEPENDENT UNIT.

(A) IN GENERAL.

THE FUND IS INDEPENDENT OF ALL STATE UNITS.

(B) EFFECT.