

(2) INCOME FROM INVESTMENTS THAT THE STATE TREASURER MAKES FOR THE FUND;

(3) INTEREST ON DEPOSITS OR INVESTMENTS OF MONEY FROM THE FUND;

(4) MONEY THAT THE FUND ACQUIRES BY GIFT; AND

(5) MONEY THAT THE FEDERAL GOVERNMENT PAYS AS REIMBURSEMENT FOR A PAYMENT FROM THE FUND.

(B) ADDITIONAL ASSETS.

THE FUND SHALL INCLUDE EACH SECURITY THAT THE FUND ACQUIRES.

(C) USE.

THE FUND SHALL BE USED TO PAY:

(1) EACH AWARD UNDER TITLE 9 OF THIS ARTICLE CHARGED AGAINST THE FUND; AND

(2) OTHER EXPENSES AUTHORIZED IN THE STATE BUDGET.

REVISOR'S NOTE: Subsections (a) through (c)(2) of this section are new language derived without substantive change from former Art. 101, § 66(3), the third sentence of (2)(d), and, as it related to use of the Fund to compensate an employee for a subsequent injury, the second sentence of (1).

Subsection (c)(2) of this section is new language added to reflect that former Art. 101, § 66(8)(d) and (e) specifically referred to compensation as provided "in the State budget". See §§ 10-209(b) and 10-210 of this subtitle. Since former Art. 101, § 66(7)(c) required appropriation from the Fund for "funding the budget of the ... Fund", the compensation is presumably to be paid from the Fund and should be an authorized use.

In subsection (b) of this section, the former phrases "by gift from the United States ..., or otherwise" are deleted as surplusage.

The fourth sentence of former Art. 101, § 66(2)(d), which stated that "[t]he fund shall be disbursed by the Treasurer only for the purposes stated ... and shall not at any time be appropriated or diverted to any other use or purpose", is deleted as unnecessary in light of this section and, to the extent that a State budget supersedes an earlier enacted law, as ineffective.

The third sentence of former Art. 101, § 66(5), which stated that "[e]xpenses incurred [to hire experts to defend an action into which the Fund is impleaded] shall be paid from the Subsequent Injury Fund as directed by the Board", is deleted as unnecessary in light of subsection (c)(2) of this section and, to the extent that the sentence seemed to allow expenditures in addition to those authorized in the State budget, as misleading.