

THE COMMISSION MAY APPROVE THE FORM OF A WORKERS' COMPENSATION INSURANCE POLICY UNDER ARTICLE 48A, § 482E OF THE CODE.

REVISOR'S NOTE: Subsections (a) through (d) of this section are new language derived without substantive change from the seventh sentence of former Art. 101, § 6, the second sentence of § 7, the second sentence of § 9, the first sentence of § 8(a), except as that sentence related to subpoenas, and the first sentence of § 2, as that sentence related to adoption of regulations "as a body".

Subsection (e) of this section is new language added to reflect the power of the Commission to approve the form of a workers' compensation insurance policy under Art. 48A, § 482E of the Code.

In subsection (a) of this section, the former requirement that the Commission "act as a body" is deleted as implicit.

In subsection (b)(1) of this section, the former phrase "in all parts of the State" is deleted as surplusage.

Also in subsection (b)(1) of this section, the former phrase "so far as the exercise of such power is properly incident to the performance of his duty or that of the Commission" is deleted as unnecessary in light of the phrase "to carry out this title".

In subsection (c)(1) of this section, the former phrase "within or without the State of Maryland" is deleted as unnecessary in light of the phrase "as provided by law", since Md. Rules 2-413 and 2-414 specifically provide for depositions outside of the State. Similarly, in subsection (c)(2) of this section, the phrase "residing within or without the State" is deleted as unnecessary in light of the phrase "as provided by law".

In subsection (c)(2) of this section, the phrase "for like depositions taken in cases providing before the circuit courts of the counties", is deleted as surplusage.

In subsection (d)(1) of this section, the word "Workers'" is substituted for the former word "Workmen's", to conform to the substantive provision that creates the Commission. See the revisor's note to § 9-301 of this subtitle. As to the continued validity of documents made under the seal inscribed with "Workmen's Compensation Commission ...", see § ___ of Ch. ___, Acts of 1991.

Defined term: "Commission" § 9-101

9-310. DETERMINATION OF AMOUNT OF PENALTY OR FINE.

IN DETERMINING THE AMOUNT OF A FINANCIAL PENALTY OR FINE TO BE IMPOSED UNDER THIS TITLE, THE COMMISSION, IN A FAIR AND EQUITABLE MANNER, SHALL CONSIDER: