

Laws.

BY repealing and re-enacting, with amendments,

Article 101 - Workmen's Compensation
Sections 36 and 66(1)
Annotated Code of Maryland
(1964 Replacement Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 36 and 66(1) of Article 101 - Workmen's Compensation, of the Annotated Code of Maryland (1964 Replacement Volume and 1974 Supplement) be and they are hereby repealed and re-enacted, with amendments, to read as follows:

Article 101 - Workmen's Compensation

36.

Each [employer] EMPLOYEE (or in the case of death his family or dependents) entitled to receive compensation under this article shall receive the same in accordance with the following schedule and except as in this article otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever.

(1) (a) In case of total disability, adjudged to be permanent sixty-six and two-thirds per centum of the average weekly wages shall be paid to the employee by the employer or insurer during the continuance of such total disability, not to exceed a maximum of one hundred per centum of the average weekly wage of the State of Maryland as determined by the Department of Employment Security, as provided in § 36 (2) of this article and not less than a minimum of twenty-five dollars per week, unless the employee's established weekly wages are less than twenty-five dollars per week at the time of injury, in which event he shall receive compensation in an amount equal to his average weekly wages but not to exceed a total of \$45,000.00; provided, however, that if the employee's total disability shall continue after a total of \$45,000.00 has been paid, then further weekly payments at the rate previously paid shall be paid to him during such disability. Loss or loss of use of both hands, or both arms, or both feet or both legs, or both eyes, or of any two thereof, shall, in the absence of conclusive proof to the contrary, constitute permanent total disability. In all other cases permanent total disability shall be determined in accordance with the facts.