

subsequent injury IN CASES OF PERMANENT DISABILITY UNDER §§ 36(1), 36(3), AND 36(4) OF THIS ARTICLE, the Commission shall [consider any prior award made by the Commission, or by a similar commission in any other state or in the District of Columbia, in determining the amount to be awarded for such subsequent injury] DEDUCT FROM ANY AWARD MADE AGAINST THIS FUND THE DOLLAR AMOUNT OF ~~THE FINAL COMPROMISE AND AGREEMENT OR OF ANY PRIOR AWARD TO THE CLAIMANT~~ ANY PRIOR PERMANENT DISABILITY PAYMENT RECEIVED BY A CLAIMANT UNDER ANY PRIOR AWARD FOR PERMANENT DISABILITY, MADE BY OR UNDER ANY PRIOR FINAL COMPROMISE AND SETTLEMENT AGREEMENT APPROVED BY THIS COMMISSION, OR BY A SIMILAR COMMISSION IN ANY OTHER STATE OR THE DISTRICT OF COLUMBIA, PROVIDED THE PRIOR PERMANENT DISABILITY CONTRIBUTES TO THE CLAIMANT'S CURRENT PERMANENT DISABILITY. IN CASES OF PERMANENT TOTAL DISABILITY UNDER § 36(1) OF THIS ARTICLE, THE DOLLAR AMOUNT CREDITED TO THE FUND FOR PRIOR AWARDS SHALL BE DEDUCTED FROM ANY AWARD MADE AGAINST THE FUND. THE DEDUCTION SHALL BE MADE BY REDUCING THE WEEKLY PAYMENTS MADE BY THE FUND UNTIL THE AMOUNT OF THE AWARD GRANTED BY THE OTHER COMMISSION IS OFFSET, AS LUMP SUM PAYMENTS ARE OFFSET UNDER SECTION 49 OF THIS ARTICLE. In the event of any award against the Subsequent Injury Fund, there shall be a right of appeal by the Subsequent Injury Fund, as provided in § 56(a) of this article. In any case involving payment from the fund, the Commission, or any party in interest, shall notify the State Treasurer and/or the attorney or the attorneys for the fund, in writing, that the fund is, or may be involved in such case, and implead the fund, in writing, as a party. The fund may be impleaded at any stage of the proceedings, either before the Commission, or on appeal; but if impleaded on appeal from the decision of the Commission or on further appeal to the Court of Special Appeals, the Court shall suspend further proceedings and remand the case to the Commission for further proceedings in order to afford the fund an opportunity to defend the claim.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.

Approved May 27, 1986.

CHAPTER 768

(House Bill 1082)

AN ACT concerning

Controlled Hazardous Substances - Penalties

FOR the purpose of providing that any person who is convicted of violating certain provisions of law or certain regulations relating to controlled hazardous substances is subject to certain penalties; and providing a certain statute of