

CHAPTER 208
(House Bill 1376)

AN ACT to repeal and re-enact, with amendments, Section 12(b) of Article 26A of the Annotated Code of Maryland (1970 Supplement), title "Criminal Injuries Compensation Act," amending the Criminal Injuries Compensation Act with particular respect to the determination of the award to certain claimants thereunder and stating the legislative intent of this Act.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 12(b) of Article 26A of the Annotated Code of Maryland (1970 Supplement), title "Criminal Injuries Compensation Act," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

12.

(b) Any award made pursuant to this article shall be made in accordance with the schedule of benefits and degree of disability as specified in Section 36 of Article 101 of the Code, excluding Section 66 entitled "Subsequent Injury Fund." *If a claimant does not have "average weekly wages" so as to qualify under the formula in Section 36 of Article 101, the award shall be in an amount equal to the arithmetic average between the maximum and minimum awards listed in the applicable portion of that section.*

SEC. 2. *And be it further enacted,* That this Act shall be retrospective in its operation to the date of July 1, 1968, as well as prospective in its operation, it being the legislative intent that this Act states the original legislative intent of Chapter 455 of the Acts of 1968 which enacted Article 26A of the Annotated Code, title "Criminal Injuries Compensation Act."

SEC. 3. *And be it further enacted,* That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety, and having been passed by a yea and nay vote supported by three-fifths of the members elected to each of the two houses of the General Assembly, the same shall take effect from the date of its passage.

Approved April 23, 1971

CHAPTER 209
(Senate Bill 454)

AN ACT to add a new Article 27A to the Annotated Code of Maryland (1971 Replacement Volume), to follow immediately after Article 27 thereof, and to be under a new title "Public Defender," to provide for and authorize the creation of a Public Defender System for the State of Maryland so as to assure effective assistance and continuity of counsel and related services to indigent accused persons taken into custody and to indigent defendants in