

1. ELEMENTS OF DETERMINANT SENTENCING THAT BRING GREATER LEVELS OF RATIONALITY AND UNIFORMITY TO THE SENTENCING PROCESS (SUCH AS PRESUMPTIVE OR ORDINARY SENTENCES); AND

2. ELEMENTS OF DISCRETIONARY SENTENCING THAT ALLOW A JUDGE TO IMPOSE A SENTENCE THAT IS FAIR AND JUST UNDER THE CIRCUMSTANCES OF A PARTICULAR CASE (SUCH AS THE ABILITY TO DEPART FROM A PRESUMPTIVE OR ORDINARY SENTENCE UNDER CERTAIN SPECIFIED CIRCUMSTANCES).

(II) "GUIDED DISCRETION SENTENCING GUIDELINES" DOES NOT INCLUDE THE FEDERAL SENTENCING GUIDELINES OR ANY SIMILAR TYPE OF MECHANICAL SENTENCING STRUCTURE.

(8) "MANDATORY SUPERVISION" HAS THE MEANING STATED IN ARTICLE 41, § 4-501(13) OF THE CODE.

(9) "PAROLE" HAS THE MEANING STATED IN ARTICLE 41, § 4-501(5) OF THE CODE.

(B) THERE IS A MARYLAND COMMISSION ON CRIMINAL SENTENCING REFORM POLICY.

(C) THE COMMISSION SHALL CONSIST OF ~~33~~ 48 ~~19~~ MEMBERS AS FOLLOWS:

(1) A CHAIRPERSON, APPOINTED BY THE GOVERNOR;

(2) THE CHIEF JUDGE OF THE MARYLAND COURT OF APPEALS OR A DESIGNEE OF THE CHIEF JUDGE WHO IS A JUDGE OR FORMER JUDGE ON THE MARYLAND COURT OF APPEALS OR THE MARYLAND COURT OF SPECIAL APPEALS;

(3) ~~TWO JUDGES~~ ONE JUDGE OF THE CIRCUIT COURT OF MARYLAND, APPOINTED BY THE GOVERNOR CHIEF JUDGE OF THE COURT OF APPEALS;

(4) ~~TWO JUDGES~~ ONE JUDGE OF THE DISTRICT COURT OF MARYLAND, APPOINTED BY THE GOVERNOR CHIEF JUDGE OF THE DISTRICT COURT COURT OF APPEALS;

(5) THE ATTORNEY GENERAL OR A DESIGNEE OF THE ATTORNEY GENERAL;

(6) ~~TWO~~ ONE STATE'S ATTORNEYS ATTORNEY WHO ~~ARE~~ IS RECOMMENDED BY THE PRESIDENT OF THE MARYLAND STATE'S ATTORNEYS ASSOCIATION, APPOINTED BY THE GOVERNOR;

(7) THE MARYLAND PUBLIC DEFENDER OR A DESIGNEE OF THE PUBLIC DEFENDER;

(8) A CRIMINAL DEFENSE ATTORNEY WHO IS RECOMMENDED BY THE PRESIDENT OF THE MARYLAND CRIMINAL DEFENSE LAWYERS ASSOCIATION, APPOINTED BY THE GOVERNOR;