

**REVISOR'S NOTE:** This section is new language derived without substantive change from former Art. 27, § 673(b), (c), the first, second, and fifth sentences of (a), and, as it related to the Commissioner's term, the third sentence of (a).

In subsection (a) of this section, the former reference to the creation of "[t]he office of Commissioner of Correction" is deleted as implicit in the requirement that the Secretary appoint the Commissioner of Correction.

In subsection (b) of this section, the reference to an "individual" is substituted for the former reference to a "person" because only a human being, and not the other entities included in the defined term "person", can be appointed Commissioner of Correction. See § 1-101 of this article for the definition of "person".

In subsection (b)(1) of this section, the reference to "correctional facilities" and systems is substituted for the former reference to "penal institutions" and systems for consistency throughout this article. See General Revisor's Note to this article.

In subsection (b)(2) of this section, the reference to "inmates" is substituted for the former reference to "prisoners" for consistency throughout this article. See General Revisor's Note to this article.

In subsection (c) of this section, the former reference to the Commissioner having an "indefinite term" is deleted. A term that is not fixed is necessarily indefinite. Furthermore, appointment for an "indefinite term" is implicit in the reference to serving "at the pleasure of the Secretary".

In subsection (d) of this section, the reference to "Article I, § 9 of the Maryland Constitution" is added to state expressly that which was only implied by the former requirement that the Commissioner "take the constitutional oath of office".

In subsection (e) of this section, the reference to the "State" budget is added to state expressly that which was only implied by the former reference to the "budget".

Also in subsection (e) of this section, the reference to the Commissioner's "compensation" is substituted for the former reference to the Commissioner's "salary" for consistency throughout this article. See General Revisor's Note to this article.

Defined terms: "Commissioner" § 3-101

"Correctional facility" § 1-101

"Division" § 3-101

"Inmate" § 1-101

"Secretary" § 1-101

3-203. SAME — GENERAL POWERS AND DUTIES.

(A) HEAD OF DIVISION.