

(1) WITH THE ADVICE OF THE COMMISSION, THE SECRETARY SHALL ADOPT REGULATIONS THAT ESTABLISH APPROVED STANDARDS APPLICABLE TO PERSONNEL, TRAINING, ADMINISTRATION, MANAGEMENT, PLANNING AND COORDINATION, RESEARCH AND EVALUATION, PHYSICAL PLANT, SPECIAL MANAGEMENT INMATES, RULES AND DISCIPLINE, MAIL AND VISITING, RECEPTION AND ORIENTATION, PROPERTY CONTROL, WORK PROGRAMS, EDUCATIONAL AND VOCATIONAL TRAINING, LIBRARY SERVICES, RELIGIOUS SERVICES, RECREATIONAL ACTIVITIES, COUNSELING, RELEASE PREPARATION, AND VOLUNTEERS.

(2) THE APPROVED STANDARDS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) SHALL APPLY TO ALL STATE CORRECTIONAL FACILITIES; AND

(II) MAY BE ADOPTED, AS A WHOLE OR IN PART, BY A LOCAL CORRECTIONAL FACILITY.

(C) FEDERAL AND STATE LAW.

THE STANDARDS ADOPTED UNDER THIS SECTION SHALL BE CONSISTENT WITH FEDERAL AND STATE LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-401(b)(7) and (8) and former Art. 27, § 704(b) and the first sentence and, as it related to the meaning of "standards", the third sentence of (a).

In subsections (a)(1) and (b)(1) of this section, the former requirement that the Secretary "develop and" adopt standards is deleted as surplusage.

Also in subsections (a)(1) and (b)(1) of this section, the former reference to a "rule" is deleted in light of the reference to a "regulation". See General Revisor's Note to this article.

Also in subsections (a)(1) and (b)(1) of this section, the former requirement that standards be adopted for "jails and other places used for confinement or detention of adult offenders against the laws of this State" is deleted in light of subsections (a)(2) and (b)(2) of this section, which provide for the applicability of the standards.

In subsection (b)(1) of this section, the former reference to "inmate" property control is deleted as implicit in the structure of the revised text. Similarly, the former reference to "inmate" work programs is deleted.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that former Art. 27, § 704(a) and former Art. 41, § 4-401(b)(8) were inconsistent regarding the issue of whether the Secretary is required to adopt approved standards. The language of former Art. 27, § 704(a), which provided that the Secretary "shall" adopt approved standards and that such standards "shall include the items enumerated in" former Art. 41, § 4-401(b)(8), suggested that the Secretary is required to adopt approved standards. In contrast, the