

the Code. The word "shall" is used in revised articles to indicate a duty or responsibility.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the introductory language in former Art. 41, § 4-301(e) refers to "powers, authority, responsibilities, and duties" of the Commission. This language gives rise to the issue of whether former Art. 41, § 4-301(e)(7) and (8) establish powers (i.e., authority) or duties (i.e., responsibilities). This section has been drafted to create mandatory duties because the word "shall" (which indicates a duty) was used several times in former Art. 41, § 4-301(e)(7) and (8). If the General Assembly wishes to make these powers discretionary, the word "may" should be substituted for the word "shall".

In subsection (c) of this section, the word "individuals" is substituted for the former reference to "persons" because only individuals can be employed by the Commission. See § 1-101 of this article for the definition of "person".

In subsection (d) of this section, the reference to receiving compensation "in accordance with the State budget", in connection with the Executive Director, the Deputy Director, and other employees who perform administrative and training management functions, is added to state expressly that which was only implied in the former law.

Defined terms: "Commission" § 8-201
"Secretary" § 1-101

8-207. MEETINGS; QUORUM; COMPENSATION; RECORDS.

(A) MEETINGS.

THE COMMISSION SHALL MEET IN THE STATE AT THE TIMES DETERMINED BY:

- (1) A MAJORITY OF ITS MEMBERS;
- (2) THE CHAIRPERSON OF THE COMMISSION; OR
- (3) THE SECRETARY.

(B) QUORUM.

A MAJORITY OF THE COMMISSION IS A QUORUM.

(C) COMPENSATION.

A MEMBER OF THE COMMISSION:

(1) MAY NOT RECEIVE COMPENSATION FOR SERVICE ON THE COMMISSION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.