

REGULATIONS ADOPTED BY THE DIVISION OF CORRECTION FOR THE MANAGEMENT AND CONTROL OF INMATES EMPLOYED IN PUBLIC WORK.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 718.

In this section, the first reference to "regulations" is substituted for the former reference to "special rules" for consistency throughout this article. See General Revisor's Note to this article. Similarly, the former reference to "rules" is deleted as unnecessary in light of the second reference to "regulations".

Also in this section, the former reference to regulations adopted by "said superintendent" is deleted as unnecessary in light of the general authority granted under this section to the Division of Correction to adopt regulations.

Also in this section, the former reference to "cheerful" compliance is deleted as surplusage.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the meaning of the reference to a "good behavior allowance" in this section is unclear. The Committee is uncertain as to how a good behavior allowance granted under this section relates to diminution credits awarded for good conduct under §§ 3-704, 11-503, and 11-504 of this article, for work tasks under §§ 3-705 and 11-505 of this article, and for special work projects under §§ 3-707 and 11-506 of this article. Diminution credits awarded under these sections are used to reduce an inmate's term of confinement. See § 7-101(g) of this article (which defines the term "mandatory supervision"). Did the General Assembly intend that a "good behavior allowance" granted under this section be used to reduce an inmate's term of confinement? This section refers to an "additional" good behavior allowance. Did the General Assembly intend to authorize the Division of Correction to grant diminution credits for "good behavior" under this section in addition to diminution credits awarded for good conduct under §§ 3-704, 11-503, and 11-504 of this article, for work tasks under §§ 3-705 and 11-505 of this article, and for special work projects under §§ 3-707 and 11-506 of this article?

The General Assembly may wish to repeal this section in light of the specific provisions regarding diminution credits in §§ 3-704, 3-705, 3-707, 11-503, 11-504, 11-505, and 11-506 of this article. Alternatively, the General Assembly may wish to clarify: (1) whether a good behavior allowance granted under this section should be used to reduce an inmate's term of confinement; and (2) if so, whether diminution credits for "good behavior" may be granted under this section in addition to the diminution credits awarded under §§ 3-704, 3-705, 3-707, 11-503, 11-504, 11-505, and 11-506 of this article. See also § 9-513 of this subtitle and accompanying Revisor's Note.