

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the reference to "male" inmates in subsection (a) of this section may reflect outdated assumptions about differences between male and female inmates and may be a violation of the guarantees of equal protection that are embodied in the State and federal constitutions. See also §§ 9-503(a) and 9-507(b) of this subtitle.

In subsection (b) of this section, the former reference to a city "other than Baltimore City" is deleted in light of the exclusion of Baltimore City from the application of this section under § 9-507(a) of this subtitle.

Also in subsection (b) of this section, the reference to the "governing body of a county" is substituted for the former reference to the "county commissioners of any county" to include those counties that have changed their form of government since this section was first enacted.

Also in subsection (b) of this section, the reference to a "municipal corporation" is substituted for the former reference to a "town or city" for consistency with Md. Constitution, Art. XI-E.

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that there are currently no local correctional facilities operated by a municipal corporation but that this could conceivably change in the future.

Also in subsection (b) of this section, the former phrase "in like manner" is deleted as surplusage.

Defined terms: "Commissioner of Correction" § 1-101

"Correctional facility" § 1-101

"County" § 1-101

"Division of Correction" § 1-101

"Inmate" § 1-101

"Public roads" § 9-501

9-509. ASSIGNMENT OF INMATES BY GOVERNOR — STATE HIGHWAY ADMINISTRATION.

(A) IN GENERAL.

ON RECEIPT OF A CERTIFICATION REQUIRED UNDER § 9-508 OF THIS SUBTITLE, THE GOVERNOR MAY ASSIGN TO THE STATE HIGHWAY ADMINISTRATION AS MANY OF THE INMATES CERTIFIED TO THE GOVERNOR AS THE STATE HIGHWAY ADMINISTRATION CAN PROFITABLY EMPLOY TO CONSTRUCT, REPAIR, OR MAINTAIN THE PUBLIC ROADS UNDER ITS JURISDICTION.

(B) DUTY OF STATE HIGHWAY ADMINISTRATION TO EMPLOY INMATES.

THE STATE HIGHWAY ADMINISTRATION SHALL EMPLOY THE INMATES ASSIGNED BY THE GOVERNOR UNDER THIS SECTION.