

Also in subsection (a)(1) of this section, the former reference to the State providing a State subsidy "in addition" to paying the costs specified in § 11-309 of this subtitle is deleted as surplusage.

Also in subsection (a)(1) of this section, the reference to inmate contributions "for room and board" is added for consistency with subsection (b)(1) of this section.

In subsection (a)(2) of this section, the former requirement that regulations be adopted "in accordance with Title 10, Subtitle 1 of the State Government Article" is deleted as implicit in the requirement to adopt regulations. All Executive Branch units must comply with Title 10, Subtitle 1 of the State Government Article, which sets forth the requirements governing the proposal and adoption of regulations, including publication in the Maryland Register and review by the Joint Committee on Administrative, Executive, and Legislative Review.

In subsection (b)(1) of this section, the requirement that the approved operating costs be "paid by the State" is deleted in light of subsection (a)(1) of this section, which requires the State to pay all approved operating costs for a center that exceed the sum of available federal funds and inmate contributions. Also subsection (b)(3) of this section establishes the exact amount of the State subsidy.

Also in subsection (b)(1) of this section, the requirement that the approved operating costs "shall be divided by 365 to obtain the per diem cost" is added to state expressly that which was only implied in the reference to "[t]his per diem" in former Art. 27, § 710B(2). The term "per diem" implies that there has been a division of the operating costs by the number of days in a year.

In subsection (b)(3) of this section, the former reference to the per diem per person cost "in excess of available federal funds and inmate contributions" is deleted as unnecessary in light of subsection (b)(1) of this section, which establishes the manner of calculating "the per diem per person cost".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that subsection (b)(3) of this section makes a distinction between inmates who, under §§ 11-316 and 11-317 of this subtitle, "have been placed in [a] center under a sentence of more than 90 days" or "have been transferred to [a] center". However, in light of the language of §§ 11-316 and 11-317 of this subtitle, the Committee is uncertain as to the meaning of this distinction. Under § 11-316 of this subtitle, the Commissioner of Correction has authority under certain circumstances to place an inmate of a State correctional facility in a center. Under § 11-317 of this subtitle, a court has authority under certain circumstances to place an inmate of a local correctional facility in a center. Both of these sections seem to relate to the "transfer" of an individual to a center — either from a State correctional facility (§ 11-316) or a local correctional facility (§ 11-317). Neither of these sections