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1997 Regular Session
7lr0955

By: Chairman, Judiciary Committee (Departmental - Public Safety and Correctional Services)

Introduced and read first time: January 15, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Correctional Institutions - Citizens' Advisory Committees - Cumberland**

3 FOR the purpose of creating a citizens' advisory committee for State correctional
4 facilities located in Cumberland; and generally relating to a citizens' advisory
5 committee for State correctional facilities located in Cumberland.

6 BY repealing and reenacting, without amendments,
7 Article 41 - Governor - Executive and Administrative Departments
8 Section 4-1101 and 4-1103
9 Annotated Code of Maryland
10 (1993 Replacement Volume and 1996 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article 41 - Governor - Executive and Administrative Departments
13 Section 4-1102
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 1996 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 41 - Governor - Executive and Administrative Departments**

19 4-1101.

20 (a) In this subheading the following words have the meanings indicated.

21 (b) "Commissioner" means the Commissioner of the Division of Correction of the
22 Department of Public Safety and Correctional Services.

23 (c) "Committee" means the citizens' advisory committees established under this
24 subheading.

25 (d) "Department" means the Department of Public Safety and Correctional
26 Services.

2

1 4-1102.

2 (a) There is a citizens' advisory committee for the institutions of the Department
3 located or planned for location in:

4 (1) Baltimore;

5 (2) Hagerstown;

6 (3) Jessup; [and]

7 (4) Somerset County; AND

8 (5) CUMBERLAND.

9 (b) Except as provided in subsection (e) of this section, each committee consists
10 of 7 members appointed by the Governor as required under subsections (c) and (d) of this
11 section.

12 (c) (1) The Senator and each Delegate from the legislative district in which the
13 institutions are located shall each submit a name to the Governor.

14 (2) Each member nominated by a Senator or Delegate shall be a resident of
15 the legislative district in which the institutions are located.

16 (3) The Governor shall appoint each person nominated by a Senator or
17 Delegate for a vacancy on a committee within 60 days after receipt of the nominee's
18 name.

19 (d) (1) To the extent possible, the additional 3 members shall be appointed to
20 provide for legal, law-enforcement, and business representatives on each committee.

21 (2) Each of these 3 members shall be a resident of the county in which the
22 institutions are located.

23 (e) (1) In Somerset County, the citizens' advisory committee consists of 8
24 members appointed as required under this subsection.

25 (2) (i) The Senator and each Delegate from Legislative District 38 shall
26 each submit a name to the Governor.

27 (ii) Each member nominated by a Senator or Delegate shall be a
28 resident of Somerset County.

29 (iii) The Governor shall appoint each person nominated by a Senator
30 or Delegate for a vacancy on a committee within 60 days after the receipt of the
31 nominee's name.

32 (3) (i) The Governor shall appoint, to the extent possible, 3 additional
33 members to provide for legal, law enforcement, and business representatives on the
34 committee.

35 (ii) Each of these 3 members shall be a resident of Somerset County.

3

1 (4) One member shall be a Somerset County Commissioner who is
2 appointed by the Board of County Commissioners.

3 (f) (1) Except as provided in paragraph (2) of this subsection and except for the
4 initial appointments to the committee, the term of a member is 3 years.

5 (2) The term of the Somerset County Commissioner, appointed under
6 subsection (e) of this section, is equal to the Commissioner's elected term.

7 (3) The terms of members are staggered.

8 (4) At the end of a term, a member continues to serve until a successor is
9 appointed and qualifies.

10 (5) A member who is appointed after a term has begun serves only for the
11 rest of the term and until a successor is appointed and qualifies.

12 (g) (1) From among its members, each committee shall elect a chairman.

13 (2) The manner of election shall be as each committee determines.

14 (h) A majority of the members then serving on a committee is a quorum.

15 (i) (1) Each committee shall meet at least once each 3 months.

16 (2) The meetings of each committee shall be held:

17 (i) In an institution in a space designated by the warden of the
18 institution; or

19 (ii) If an institution is being planned, in another location accessible to
20 the members of the committee.

21 (j) A member of a committee may not receive compensation.

22 4-1103.

23 (a) A committee may:

24 (1) Report to the Commissioner and the Governor about the concerns of
25 the citizens residing in the vicinity of each institution;

26 (2) Be available to interpret each institution's programs and problems to the
27 citizens residing in the vicinity of each institution; and

28 (3) Perform other services and responsibilities as may be deemed necessary.

29 (b) The Department shall provide staff to the committee in accordance with the
30 State budget.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1997.