

(J) REGULATIONS.

(1) WITH THE SECRETARY'S APPROVAL, THE DIRECTOR SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROGRAM.

(2) NOTWITHSTANDING § 10-101(G)(2)(I) OF THE STATE GOVERNMENT ARTICLE, THE REGULATIONS SHALL BE ADOPTED IN ACCORDANCE WITH THE REQUIREMENTS OF TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 4-602A(b) through (i)(1), (k), and (l).

In subsection (a) of this section, the former reference to offenders "under this section" is deleted as unnecessary in light of the use of the defined term "offender".

In subsection (c) of this section, the reference to a violation "of a condition of" parole or mandatory supervision is added to state expressly that which was only implied in the former reference to a "violation" of parole or mandatory supervision and for consistency within this subtitle.

Also in subsection (c) of this section, the reference to an offender who "is not eligible for" the program is substituted for the former reference to an offender who "may not be placed in" the program for consistency with similar language used in § 3-404 of this article.

In the introductory language of subsection (d)(1) of this section, the former reference to "prior" approval is deleted as implicit in the reference to "approval".

In subsection (e) of this section, the reference to "living" expenses is added for clarity and consistency with § 3-407(a) of this article.

Also in subsection (e) of this section, the reference to expenses for medical "care" is added to state expressly that which was only implied in the former reference to "medical".

The Correctional Services Article Review Committee notes, for consideration by the General Assembly, that the Committee is uncertain as to the meaning of the first clause of subsection (f)(1) of this section, which requires that the Division "determin[e] the amount of reasonable payments necessary to satisfy court ordered restitution, fines, court costs, and other fees that are legally collectible". First, the Committee is uncertain as to the meaning of the reference to court ordered restitution, fines, court costs, and other fees that are "legally collectible". What types of restitution, costs, and fees fall into the category of "legally collectible"? Does the term "legally collectible" refer only to restitution, costs, and fees that the Division is authorized to collect? See generally Art. 27, §§ 641B and 807 and § 7-702 of this article. Does the reference to fees that are "legally collectible" include court ordered payments for the support of dependents under subsection (e)(2) of this section? Second, the Committee is uncertain as to how the requirement that the Division "determin[e] the