

(III) A HEARING EXAMINER IS ENTITLED TO COMPENSATION IN ACCORDANCE WITH THE STATE BUDGET.

(2) A HEARING EXAMINER OR A COMMISSIONER ACTING AS A HEARING EXAMINER MAY HEAR CASES FOR PAROLE RELEASE THAT ARE NOT REQUIRED TO BE HEARD BY THE COMMISSION UNDER § 7-205(A)(3) OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, §§ 4-503 and 4-504(c).

In subsection (b)(1) of this section, the reference to "paragraph (2) of this subsection" is technically narrower than the reference in former Art. 41, § 4-503(b)(1) to "§ 4-504 of this subtitle" because only former Art. 41, § 4-504(c) is revised in paragraph (2) of this subsection. However, subsection (c) of former Art. 41, § 4-504 is the only part of that section that related to parole release hearings conducted by hearing examiners. No substantive change is intended.

Defined terms: "Commission" § 7-101

"Commissioner" § 7-101

"Division of Parole and Probation" § 1-101

"Parole" § 7-101

"Secretary" § 1-101

7-205. POWERS.

(A) EXCLUSIVE POWERS OF COMMISSION.

THE COMMISSION HAS THE EXCLUSIVE POWER TO:

(1) AUTHORIZE THE PAROLE OF AN INDIVIDUAL SENTENCED UNDER THE LAWS OF THE STATE TO ANY CORRECTIONAL FACILITY IN THE STATE;

(2) NEGOTIATE, ENTER INTO, AND SIGN PREDETERMINED PAROLE RELEASE AGREEMENTS AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION;

(3) HEAR CASES FOR PAROLE IN WHICH:

(I) THE COMMISSIONER OF CORRECTION, AFTER REVIEWING THE RECOMMENDATION OF THE APPROPRIATE MANAGING OFFICIAL, OBJECTS TO A PAROLE;

(II) THE INMATE WAS CONVICTED OF A HOMICIDE; OR

(III) THE INMATE IS SERVING A SENTENCE OF LIFE IMPRISONMENT;

(4) HEAR EXCEPTIONS TO RECOMMENDATIONS OF A HEARING EXAMINER OR A COMMISSIONER ACTING AS A HEARING EXAMINER;

(5) REVIEW SUMMARILY ALL RECOMMENDATIONS OF A HEARING EXAMINER OR A COMMISSIONER ACTING AS A HEARING EXAMINER TO WHICH AN EXCEPTION HAS NOT BEEN FILED;