

THE COUNSEL TO THE DEPARTMENT MAY HAVE NO DUTY OTHER THAN TO RENDER THE LEGAL AID, ADVICE, AND COUNSEL REQUIRED BY THE SECRETARY AND ANY OTHER OFFICIAL OF THE DEPARTMENT, TO SUPERVISE THE OTHER ASSISTANT ATTORNEYS GENERAL ASSIGNED TO THE DEPARTMENT, AND TO PERFORM FOR THE DEPARTMENT THE DUTIES ASSIGNED TO HIM BY THE ATTORNEY GENERAL. THE COUNSEL SHALL PERFORM THESE DUTIES SUBJECT TO THE CONTROL AND SUPERVISION OF THE ATTORNEY GENERAL. AFTER THE ATTORNEY GENERAL DESIGNATES THE COUNSEL TO THE DEPARTMENT, THE ATTORNEY GENERAL MAY NOT REASSIGN THE COUNSEL WITHOUT CONSULTING THE SECRETARY.

(D) DUTIES OF ASSISTANTS; SALARY.

(1) THE COUNSEL AND EVERY OTHER ASSISTANT ATTORNEY GENERAL ASSIGNED TO THE DEPARTMENT SHALL PERFORM FOR THE DEPARTMENT THE LEGAL DUTIES ASSIGNED TO THEM BY THE ATTORNEY GENERAL. SUBJECT TO HIS DISCRETION AND CONTROL, THE ATTORNEY GENERAL MAY ASSIGN TO THEM ANY DUTY WITH RESPECT TO THE DEPARTMENT THAT IS REQUIRED OF THE ATTORNEY GENERAL BY LAW.

(2) THE COUNSEL AND EVERY OTHER ASSISTANT ATTORNEY GENERAL SHALL BE A PRACTICING LAWYER OF THIS STATE IN GOOD STANDING AND IS ENTITLED TO THE SALARY PROVIDED IN THE STATE BUDGET.

(E) EXCEPTION.

THIS SECTION DOES NOT APPLY TO ANY UNIT IN THE DEPARTMENT TO THE EXTENT THAT THE UNIT IS AUTHORIZED BY LAW TO EMPLOY ITS OWN LEGAL ADVISER OR COUNSEL.

REVISOR'S NOTE: This section presently appears as Art. 41, §208A.

Throughout this section, reference to the various units "deemed...part of the Department of Transportation" is deleted as unnecessary.

In subsection (b) of this section, the phrase "and any additional ones necessary to render effective legal advice and counsel" is added to recognize expressly the existing practice of temporarily assigning other assistants according to current work load.

The only other changes are in style.

As to the general authority and duties of the Attorney General, see Art. 32A of the Code.

As to use of the term "unit", see revisor's note to §2-102 of this subtitle.

As to subsection (e) of this section, see §4-205(d) of this article, which authorizes