

(I) AN INVESTIGATION BY AN INVESTIGATING COMMITTEE OF THE GENERAL ASSEMBLY AFFECTS THE UNIT;

(II) THE ATTORNEY GENERAL REPRESENTS BOTH THE INVESTIGATING COMMITTEE AND THE UNIT;

(III) THE ATTORNEY GENERAL GIVES THE BOARD OF PUBLIC WORKS AND THE UNIT WRITTEN NOTICE THAT REPRESENTATION BY THE ATTORNEY GENERAL INVOLVES OR REASONABLY MAY INVOLVE A CONFLICT OF INTEREST; AND

(IV) THE BOARD OF PUBLIC WORKS APPROVES THE EMPLOYMENT OF COUNSEL BY THE UNIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 32A, § 5, the third clause of § 12, and the first sentence and, as it related to State entities, the third sentence of § 2.

In the introductory phrases of subsections (a) and (b) of this section, the former, specific references to "§ 12" are deleted as unnecessary in light of the broad references to "law".

In subsection (a) of this section, the former words "supervision and direction" are deleted as unnecessary in light of the broad reference to "general charge".

The introductory language of subsection (c) of this section, "[e]xcept as provided in subsection (d) of this section or in any other law," is added to state expressly that there are exceptions to the general prohibition on employment of counsel and that the exceptions are not limited to those set out in subsection (d) of this section.

In subsection (c) of this section, the word "designee" is substituted for the former list of possible designees, for brevity.

Also in subsection (c) of this section, the former prohibition against "continu[ing] the employment of any ... legal adviser whatever" is deleted as unnecessary.

Also in subsection (c) of this section, the former limitations on employment of counsel "in connection with ... or ... in the performance of any of the duties imposed upon ... him" are deleted as misleading since the former limitations suggested that employment of counsel otherwise is permitted.