

(d) The Attorney General shall be the legal advisor to the Department of Public Safety and Correctional Services. He shall assign to the Department such number of assistant attorneys general as are now authorized by law to be assigned to the various departments, agencies, boards, commissions, councils, or units which are herein, or may hereafter by law be deemed to be part of the Department of Public Safety and Correctional Services; and he shall also assign to the Department such additional number of assistant attorneys general as may hereafter be authorized by law for such Department. One of the said assistant attorneys general shall be designated by the Attorney General as counsel to the Department of Public Safety and Correctional Services. The counsel to the Department shall have no duty other than to render, subject to the discretion and control of the Attorney General, such legal aid, advice and counsel as the Secretary and the other officials of said Department may require, and the supervision of the other assistant attorneys general assigned to the Department. After the Attorney General has designated an assistant attorney general to serve as counsel to the Department, he shall not reassign said counsel without consultation with the Secretary. The counsel and the other assistant attorneys general so employed, shall each perform such legal duties for the Department as the Attorney General may from time to time assign to them; and the Attorney General is hereby authorized to assign to them, and each of them, the performance subject to his discretion and control of any of the duties with respect to said Department required of him by law. All such assistant attorneys general shall be practicing lawyers of the State of Maryland, in good standing, and they shall receive such compensation as shall be provided in the State budget. This subsection shall not apply with respect to any agencies or units of government within the Department of Public Safety and Correctional Services to the extent that such agencies or units are authorized by law to employ their own legal advisors or counsel.

4-103.1-

IN ADDITION TO THEIR DUTIES UNDER § 4-103(D) OF THIS SUBTITLE, THE ATTORNEY GENERAL AND COUNSEL TO THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL ASSIST A PAID FIRE DEPARTMENT, ON REQUEST, IN THE NEGOTIATIONS AND IN THE FILING OF A COURT SUIT TO OBTAIN REIMBURSEMENT UNDER § 3-1103 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE FOR THE EXPENSE OF AN EMERGENCY RESPONSE, CONTAINMENT, CLEANUP, AND ABATEMENT OF A SPILL OR DISCHARGE INVOLVING HAZARDOUS MATERIALS.

SECTION 2. AND BE IT FURTHER ENACTED, That the State Fire Marshal Department of the Environment shall report its findings and recommendations to the General Assembly by July 1, 1989 on the effectiveness of Section 1 of this Act.