

10-211. LEGAL ADVISER.

(A) IN GENERAL.

THE ATTORNEY GENERAL IS THE LEGAL ADVISER TO THE BOARD AND FUND.

(B) EXPERT.

WITH THE APPROVAL OF THE BOARD, STAFF WHOM THE ATTORNEY GENERAL ASSIGNS TO REPRESENT THE FUND MAY HIRE EACH EXPERT WHO IS NEEDED TO DEFEND AN ACTION INTO WHICH THE FUND IS IMPEADED.

REVISOR'S NOTE: Subsection (a) of this section is new language substituted for the first sentence of former Art. 101, § 66(5), which required the Commission to "request the Attorney General to furnish a member of his staff to the fund". This substitution reflects that Md. Constitution, Art. V, § 3 together with SG § 6-106 imposes on the Attorney General a responsibility for "legal work" of the State government that cannot be abrogated by a failure of the Commission to "request" representation. Furthermore, the responsibility extends to the Board, as well as the Fund. See the General Revisor's Note to this subtitle.

Subsection (b) of this section is new language derived without substantive change from the second sentence of former Art. 101, § 66(5).

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the claims department of the Fund may hire an expert before a case reaches staff of the Attorney General in the legal department. Although the second sentence of former Art. 101, § 66(5) referred to a "representative" of the Fund, the word "representative" could only have referred back to staff of the Attorney General in the first sentence of § 66(5).

Defined terms: "Board" § 10-201

"Fund" § 10-201

10-212. RESERVED.

10-213. RESERVED.

PART IV. PURPOSE AND ADMINISTRATION OF FUND.

10-214. COMPOSITION; USE.

(A) COMPOSITION.

THE FUND SHALL CONSIST OF:

(1) THE MONEY CREDITED TO THE FUND UNDER TITLE 9 OF THIS ARTICLE;