

BY: Judicial Proceedings Committee

SUBSTITUTE AMENDMENTS TO SENATE BILL NO. 652

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Chairman, Judicial Proceedings Committee and"; in the same line, strike "Della,"; and in the same line, strike "and Derr" and substitute "Derr, and McFadden".

AMENDMENT NO. 2

On page 1, in lines 8 and 9, strike "making the provisions of this Act severable;" and substitute "making this Act subject to a certain contingency;".

AMENDMENT NO. 3

On page 3, strike in their entirety lines 32 through 37, inclusive, and substitute:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This Act shall take effect contingent on the Attorney General's renegotiating by July 1, 1998 the contract between the Attorney General and the Law Offices of Peter G. Angelos, dated March 27, 1996, for the provision of legal services to the Attorney General and the State of Maryland in connection with litigation against the tobacco industry.

(b) The renegotiated contract shall:

(1) provide for the payment of a reasonable fee in accordance with Rule 1.5 of the Maryland Rules of Professional Conduct and shall specifically consider the following factors:

(i) the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal services properly;

(Over)

(ii) the fee customarily charged in the locality for similar legal services;

(iii) the amount involved and the results obtained;

(iv) any time limitations imposed by the Attorney General or by the circumstances; and

(v) the experience, reputation, and ability of the lawyer or lawyers performing the services; and

(2) reduce the contingent fee provided for in the existing contract dated March 27, 1996 by up to 50 percent.

(c) If a new contract in accordance with this section is not executed by all parties and approved by the Maryland Board of Public Works by July 1, 1998, then this Act shall be null and void without the necessity of further action by the General Assembly.”.

On page 4, in line 5, after “That” insert “, subject to Section 2 of this Act.”; and in line 6, strike “July” and substitute “June”.