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By: **Prince George's County Delegation**  
Introduced and read first time: February 13, 1998  
Assigned to: Judiciary

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 10, 1998

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Prince George's County - State's Attorney's Office - Assistant State's**  
3 **Attorneys**  
4 **PG 305-98**

5 FOR the purpose of altering the number of assistant State's Attorney positions in the  
6 State's Attorney's office in Prince George's County; increasing the annual salary  
7 of the State's Attorney in each calendar year beginning with 1999; increasing  
8 the maximum salaries of the deputy State's Attorneys, the assistant State's  
9 Attorneys, and the administrative assistant in the State's Attorney's office;  
10 providing that this Act does not apply to the salary or compensation of the  
11 incumbent State's Attorney; and generally relating to the composition of and  
12 salaries in the office of the State's Attorney of Prince George's County.

13 BY repealing and reenacting, with amendments,  
14 Article 10 - Legal Officials  
15 Section 40(q)  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume and 1997 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article 10 - Legal Officials**

21 40.

22 (q) In Prince George's County:

1 (1) (i) The State's Attorney's annual salary shall be:  
 2 {1. \$98,000 \$107,775 for calendar year ~~1995~~ 1999;  
 3 2. \$98,000 \$107,775 for calendar year ~~1996~~ 2000;}  
 4 {3.} 1. \$101,000 \$111,000 for calendar year ~~1997~~ 2001;  
 5 {and}  
 6 {4.} 2. \$104,000 \$114,300 for calendar year ~~1998~~ 2002 {and  
 7 for each subsequent calendar year.}; ~~AND~~  
 8 3. \$115,000 ~~FOR CALENDAR YEAR 1999.~~

9 (II) ~~IN CALENDAR YEAR 2000, AND IN EACH SUBSEQUENT~~  
 10 ~~CALENDAR YEAR, THE STATE'S ATTORNEY'S SALARY SHALL BE INCREASED BY 4%~~  
 11 ~~ABOVE THE AMOUNT FOR THE PREVIOUS CALENDAR YEAR.~~

12 {(ii)} ~~(III)~~ The State's Attorney may not, except in connection with  
 13 duties as State's Attorney, appear as counsel or represent any party professionally  
 14 before any court, board, commission, or agency of this State or any county or political  
 15 subdivision of this State. The State's Attorney may not engage in the private practice  
 16 of law but may participate in the pro bono program administered by the Prince  
 17 George's County Bar Foundation.

18 (2) The State's Attorney may appoint [2] TWO deputy State's Attorneys  
 19 and [57] 62 assistant State's Attorneys. The deputy State's Attorneys and assistant  
 20 State's Attorneys serve at the pleasure of the State's Attorney.

21 (3) The annual salary of the deputy State's Attorneys shall be within the  
 22 discretion of the State's Attorney, but may not exceed [\$86,500] ~~\$96,000~~ \$90,000. The  
 23 salaries are to be paid by the County on the certification of the State's Attorney to the  
 24 County Executive and County Council.

25 (4) The annual salary of the assistant State's Attorneys shall be within  
 26 the discretion of the State's Attorney, but may not exceed [\$77,850] ~~\$89,000~~ \$81,000.  
 27 The salaries are to be paid by the County on the certification of the State's Attorney to  
 28 the County Executive and County Council.

29 (5) The deputy State's Attorneys and the assistant State's Attorneys,  
 30 except in connection with their duties as deputy State's Attorneys and assistant  
 31 State's Attorneys, may not appear as counsel or represent any party professionally  
 32 before any court, board, commission or agency of this State or any county or political  
 33 subdivision of this State. The deputy State's Attorneys and assistant State's Attorneys  
 34 may not engage in the private practice of law, but may participate in the pro bono  
 35 program administered by the Prince George's County Bar Foundation.

36 (6) The deputy State's Attorneys and the assistant State's Attorneys  
 37 shall perform whatever work as may be directed by the State's Attorney, or as  
 38 authorized by law, and under the direction of the State's Attorney may present cases

1 to the grand juries, sign indictments and criminal informations, and perform  
2 whatever other acts and duties in relation to the grand juries and in the operation of  
3 the office as are necessary and proper.

4           (7)       The State's Attorney may appoint an administrative assistant to  
5 serve at the pleasure of the State's Attorney. The annual salary of the administrative  
6 assistant shall be within the discretion of the State's Attorney, but may not exceed  
7 [\$47,000] \$52,000. The salary is to be paid by the County on the certification of the  
8 State's Attorney to the County Executive and County Council. The administrative  
9 assistant is not subject to the rules and regulations of the County merit system, but  
10 shall be entitled to all benefits provided for County employees under the merit  
11 system.

12           (8)       The salary and expenses of the State's Attorney, the deputy State's  
13 Attorneys, and the assistant State's Attorneys shall be paid in equal semimonthly  
14 installments.

15       SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,  
16 Section 35 of the Constitution of Maryland, this Act may not be construed to extend or  
17 apply to the salary or compensation of the State's Attorney for Prince George's County  
18 in office on the effective date of this Act, but the provisions of this Act concerning the  
19 salary or compensation of the State's Attorney for Prince George's County shall take  
20 effect at the beginning of the next following term of office.

21       ~~SECTION 2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
22 effect July 1, 1998.