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1998 Regular Session 8lr2510

By: Harford County Delegation Introduced and read first time: February 13, 1998 Assigned to: Judiciary A BILL ENTITLED 1 AN ACT concerning 2 Harford County - State's Attorney - Salaries 3 FOR the purpose of increasing the annual salary of the Harford County State's Attorney; providing that this Act does not affect the salary of the incumbent 4 5 State's Attorney; and generally relating to the State's Attorney salary increases. 6 BY repealing and reenacting, with amendments, Article 10 - Legal Officials 7 8 Section 40(m) Annotated Code of Maryland 9 10 (1996 Replacement Volume and 1997 Supplement) 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 12 MARYLAND, That the Laws of Maryland read as follows: Article 10 - Legal Officials 13 14 40. 15 This subsection applies only in Harford County. (m) (1) 16 (2) The annual salary of the State's Attorney is: (i) [\$70,000] \$73,775 through June 30, [1997] 2001; and 17 1. 2. 18 [\$72,500] \$75,050 commencing July 1, [1997] 2001 and 19 thereafter. 20 During the term in office of the State's Attorney and except in (ii) 21 connection with and in the performance of his duties as State's Attorney, the State's 22 Attorney may not appear as counsel or represent any party professionally before any 23 court, board, commission or agency of this State or any county or political subdivision 24 of this State. The intent is that the State's Attorney may not engage in the private 25 practice of law in any manner.

The State's Attorney may appoint:

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1	1. A deputy State's Attorney; and
2 3	2. Whatever assistant State's Attorneys that are authorized by the County Executive and County Council.
6 7	(ii) All appointees serve at the State's Attorney's pleasure. The salaries and compensation of such persons shall be provided by the County Executive and County Council. The deputy State's Attorney and the assistant State's Attorneys have the same legal powers as the State's Attorney to represent the State before grand juries and in the trial of criminal proceedings.
11 12	(4) The State's Attorney may appoint a secretary or clerical assistant. The salary of the secretary or clerical assistant shall conform with the exempt classification and pay plan authorized by the County Executive and County Council and the secretary or clerical assistant shall serve at the pleasure of the State's Attorney.
16 17 18	(5) The State's Attorney may employ clerical, administrative, investigative, and other personnel as may be necessary for the proper conduct of the office. The salaries and classifications for these employees shall be determined by the State's Attorney, in conformity with the Harford County pay and classification plans, and authorized by the County Executive and County Council. These employees shall be entitled to all benefits received by similarly classified county employees.
20 21	(6) The county government shall pay all reasonable expenses for the conduct of the office of State's Attorney.
24 25 26	SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, Section 35 of the Constitution of Maryland, this Act may not be construed to extend or apply to the salary or compensation of the State's Attorney for Harford County in office on the effective date of this Act, but the provisions of this Act concerning the salary or compensation of the State's Attorney for Harford County shall take effect at the beginning of the next following term of office.
28 29	SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1998.