

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 1178 (Delegate W. Baker, *et al.*)

Judiciary

Judicial Proceedings

Queen Anne's County - State's Attorney - Salary and Duties

This bill provides that the salary of the State's Attorney of Queen Anne's County shall be equal to 90% of the salary of a judge of the District Court of Maryland. Any change in salary is effective beginning with the next term of office in December 2002. The bill also restricts the State's Attorney of Queen Anne's County from private law practice or appearing professionally in any criminal proceeding except as the State's Attorney. The bill also repeals the provision establishing a minimum salary for the assistant State's Attorneys in Queen Anne's County.

Fiscal Summary

State Effect: State retirement pension expenditures would increase by \$1,400 in FY 2003 and by \$2,300 in FY 2004 and each year thereafter.

Local Effect: Queen Anne's County expenditures would increase by approximately \$35,500 in FY 2003 and by \$60,900 in FY 2004 and each year thereafter.

Small Business Effect: None.

Analysis

Current Law: The annual salary of the State's Attorney of Queen Anne's County is set by the County Commissioners of Queen Anne's County and must be at least \$20,000. In fiscal 2001, the salary was set at \$51,000. The annual salary of the assistant State's Attorneys is set by the county commissioners and must be at least \$12,000. In fiscal

2001, the salary of assistant State's Attorneys was set at \$51,000 for the full-time assistant State's Attorney and \$32,000 for the two part-time assistant State's Attorneys.

State Fiscal Effect: The State is responsible for making the retirement contributions for the State's Attorney of Queen Anne's County. Based on the State's fiscal 2002 contribution rate of 4.73% of salary, expenditures would increase by \$1,359 in fiscal 2003 which reflects the State's contribution for the seven months of fiscal 2003 after the new term of office begins. Future pension expenditure increases would be \$2,330 in fiscal 2004 and each year thereafter.

Local Fiscal Effect: The current salary of an associate judge of the District Court of Maryland in fiscal 2001 is \$107,120. District Court judges are entitled to the same cost-of-living increases as other State employees. Assuming that the Governor's proposed 4% cost-of-living increase (effective January 1, 2002) is approved by the General Assembly, the annual salary will increase to \$111,405 in fiscal 2002. If this is the only raise received by the District Court judges before 2003 (see discussion of judges' salaries in Additional Comments), the State's Attorney's salary will increase from \$51,000 to approximately \$100,264 when the next term begins in December 2002.

Queen Anne's County expenditures would increase by \$35,540 in fiscal 2003 for additional salary and fringe benefits (\$11,662 annually), which accounts for the beginning of the next term of office in December 2002. Queen Anne's County expenditures would increase by approximately \$60,926 in fiscal 2004 and each year thereafter.

Additional Comments: In the 2000 session the General Assembly amended cross filed joint resolutions (HJ 5 and SJ 3) to provide raises recommended by the Judicial Compensation Committee. The General Assembly amended the resolutions to provide no raises and the resolutions were adopted. The resolutions also included language that endorsed the provision that ensures that judges receive the same cost-of-living increases that other State employees receive. Increases in judges' salaries through cost-of-living adjustments or through legislative action in the next General Assembly session would increase the fiscal impact of the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Queen Anne's County, Department of Legislative Services

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