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By: **St. Mary's County Delegation**

Introduced and read first time: January 21, 2002

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Public Officials - Salaries**

3 FOR the purpose of altering the salary of the State's Attorney for St. Mary's County,  
4 the Treasurer of St. Mary's County, the Sheriff of St. Mary's County, the Judges  
5 of the Orphans' Court for St. Mary's County, the President of the Board of  
6 County Commissioners of St. Mary's County, and the County Commissioners of  
7 St. Mary's County; requiring the Sheriff of St. Mary's County to devote full time  
8 to the duties of office; providing that this Act does not apply to the salary or  
9 compensation of the incumbent State's Attorney for St. Mary's County, the  
10 incumbent Treasurer of St. Mary's County, the incumbent Sheriff of St. Mary's  
11 County, the incumbent Judges of the Orphans' Court for St. Mary's County, the  
12 incumbent President of the Board of County Commissioners of St. Mary's  
13 County, or the incumbent County Commissioners of St. Mary's County; and  
14 generally relating to the salaries of the public officials of St. Mary's County.

15 BY repealing and reenacting, with amendments,  
16 Article 10 - Legal Officials  
17 Section 40(s)  
18 Annotated Code of Maryland  
19 (2001 Replacement Volume)

20 BY repealing and reenacting, with amendments,  
21 Article 25 - County Commissioners  
22 Section 51(d)  
23 Annotated Code of Maryland  
24 (2001 Replacement Volume)

25 BY repealing and reenacting, with amendments,  
26 Article - Courts and Judicial Proceedings  
27 Section 2-309(t)  
28 Annotated Code of Maryland  
29 (1998 Replacement Volume and 2001 Supplement)

1 BY repealing and reenacting, with amendments,  
2 Article - Estates and Trusts  
3 Section 2-108(s)  
4 Annotated Code of Maryland  
5 (2001 Replacement Volume and 2001 Supplement)

6 BY repealing and reenacting, with amendments,  
7 The Public Local Laws of St. Mary's County  
8 Section 26-3  
9 Article 19 - Public Local Laws of Maryland  
10 (1978 Edition and June 2001 Supplement, as amended)

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

13 **Article 10 - Legal Officials**

14 40.

15 (s) (1) (i) In St. Mary's County the State's Attorney's salary is [90 percent  
16 of the salary of a judge of the District Court of Maryland] \$90,429. A salary increase  
17 shall take effect at the beginning of the elected term of office and may not increase  
18 during that term of office.

19 (ii) During his term of office, the State's Attorney may not engage  
20 in the private practice of law in any matter after December 31, 1982.

21 (iii) The State's Attorney may not appear professionally in any  
22 criminal proceeding in this State, except in connection with and in the performance of  
23 his duties as the State's Attorney.

24 (2) (i) The State's Attorney may appoint administrative support staff  
25 as necessary for the conduct of the office.

26 (ii) Administrative support staff positions are in the St. Mary's  
27 County merit system.

28 (iii) The County Commissioners of St. Mary's County shall make  
29 provisions for all administrative support staff, independent office facilities, office  
30 equipment, supplies and books, and any other items necessary for the operation of the  
31 State's Attorney's office.

32 (3) (i) The State's Attorney may appoint a deputy State's Attorney, two  
33 or more assistant State's Attorneys and one or more investigators.

34 (ii) The deputy State's Attorney and the assistant State's Attorneys  
35 may be part-time or full-time employees and shall serve at the pleasure of the State's  
36 Attorney.

1 (ii) The deputy State's Attorney and the assistant State's Attorneys  
 2 may be part-time or full-time employees and shall serve at the pleasure of the State's  
 3 Attorney.

4 (iii) The investigators:

- 5 1. May be part-time or full-time employees; and
- 6 2. Shall be in the St. Mary's County merit system.

7 (iv) The County Commissioners shall make available to the State's  
 8 Attorney an annual sum from which the State's Attorney shall appropriate salaries  
 9 for the deputy State's Attorney, the assistant State's Attorneys, and the investigators.

10 (4) Payments for salaries shall be made biweekly and payments for  
 11 expenses shall be made upon the presentation of vouchers.

#### 12 **Article 25 - County Commissioners**

13 51.

14 (d) (1) The County Treasurer of St. Mary's County shall receive an annual  
 15 salary of [~~\$36,000~~] \$42,000.

16 (2) The County Treasurer shall devote full time to the duties of office.

#### 17 **Article - Courts and Judicial Proceedings**

18 2-309.

19 (t) (1) The annual salary of the Sheriff of St. Mary's County shall be  
 20 [~~\$50,000~~] \$68,000.

21 (2) THE SHERIFF SHALL DEVOTE FULL TIME TO THE DUTIES OF OFFICE.

#### 22 **Article - Estates and Trusts**

23 2-108.

24 (s) Each of the judges of the Court for St. Mary's County shall receive an  
 25 annual salary of [~~\$3,000~~] \$4,000. Each judge shall also be allowed \$1,000 annually for  
 26 traveling expenses, payable quarterly.

#### 27 **Article 19 - St. Mary's County**

28 26-3.

29 A. Salaries.

1           (1)     The President of the County Commissioners shall receive a salary  
2 of[:  
3           (a)     \$24,000 for calendar year 1991;  
4           (b)     \$25,000 for calendar year 1992;  
5           (c)     \$26,000 for calendar year 1993; and  
6           (d)     \$27,000 for calendar year 1994 and for each subsequent  
7 calendar year] \$32,000.

8           (2)     Each other Commissioner shall receive a salary of[:  
9           (a)     \$18,000 for calendar year 1991;  
10          (b)     \$19,000 for calendar year 1992;  
11          (c)     \$20,000 for calendar year 1993; and  
12          (d)     \$21,000 for calendar year 1994 and for each subsequent  
13 calendar year] \$27,000.

14          (3)     The Attorney to the County Commissioners shall receive an annual  
15 salary as determined by the Commissioners.

16     B.        Reimbursement for expenses. The County Commissioners of St. Mary's  
17 County may receive reimbursement for their expenses incurred while engaged in  
18 county business, whether such expenses were incurred within or outside the county.

19     SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III,  
20 Section 35 of the Constitution of Maryland, this Act may not be construed to extend or  
21 apply to the salary or compensation of the State's Attorney for St. Mary's County, the  
22 Treasurer of St. Mary's County, the Sheriff of St. Mary's County, the Judges of the  
23 Orphans' Court for St. Mary's County, the President of the Board of County  
24 Commissioners of St. Mary's County, or the County Commissioners of St. Mary's  
25 County in office on the effective date of this Act, but the provisions of this Act  
26 concerning the salary or compensation of the State's Attorney for St. Mary's County,  
27 the Treasurer of St. Mary's County, the Sheriff of St. Mary's County, the Judges of the  
28 Orphans' Court for St. Mary's County, the President of the Board of County  
29 Commissioners of St. Mary's County, and the County Commissioners of St. Mary's  
30 County shall take effect at the beginning of the next following term of office.

31     SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2002.