

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 618

(Charles County Delegation)

Environmental Matters

Judicial Proceedings

Charles County - State's Attorney - Authority to Appoint Staff and Set Salaries

This bill authorizes the State's Attorney for Charles County to appoint more than one deputy State's Attorney, repeals the limitation on the number of assistant State's Attorneys that can be appointed with the approval of the senior resident Circuit Court judge, and requires the State's Attorney to set the salaries of deputy State's Attorneys, assistant State's Attorneys, and administrative staff subject to the approval of the Commissioners of Charles County.

Fiscal Summary

State Effect: None.

Local Effect: Charles County finances would not be directly affected. Any impact would depend on the budget provided to the Office of State's Attorney by the Charles County Commissioners.

Small Business Effect: None.

Analysis

Current Law: In Charles County, the State's Attorney may appoint one deputy State's Attorney with a salary set by the Commissioners of Charles County. The State's Attorney may appoint the number of assistant State's Attorneys approved by the senior resident Circuit Court judge for Charles County with salaries set by the Commissioners of Charles County. The salaries for the clerical, administrative, investigative, and other assistants are subject to the approval of the Commissioners of Charles County.

Background: The State's Attorney has the authority to appoint two deputy State's Attorneys in Baltimore City and Allegany, Anne Arundel, Baltimore, Carroll, Frederick, Harford, Howard, Montgomery, and Prince George's counties. The State's Attorney in Kent County may appoint one or more deputy State's Attorneys and in Talbot and Worcester counties the State's Attorney may appoint any number of deputy State's Attorneys.

Generally, the salaries of deputy State's Attorneys and assistant State's Attorneys are set by the governing body of the local jurisdiction. In Anne Arundel County, the State's Attorney may set the salary of the deputy State's Attorney and assistant State's Attorneys with the approval of the county as long as the salaries do not exceed 80% of the State's Attorney's salary. In Baltimore, Carroll, and Frederick counties, the State's Attorney may set the salary of the deputy State's Attorney and assistant State's Attorneys with the approval of the county. In Dorchester County, the State's Attorney may appoint and set the salary of assistant State's Attorneys with the approval of the Circuit Court of Dorchester County. In Prince George's County, the salary of the deputy State's Attorney may be set by the State's Attorney in an amount not to exceed \$97,000 and the salary of the assistant State's Attorneys may be set by the State's Attorney in amounts not to exceed \$90,000. In Montgomery County, deputy State's Attorneys and assistant State's Attorneys are in the county's merit system.

Generally, the salaries of State's Attorney's administrative staff are set by the governing body of each local jurisdiction. In Garrett County, the State's Attorney has the authority to set the salaries of administrative staff subject to the approval of the Garrett County Commissioners. In Harford County, the State's Attorney has the authority to set the salaries of administrative staff as long as the salaries conform to the county's pay plan. In Prince George's County, the State's Attorney has the authority to set the salary of the administrative assistant in an amount not to exceed \$56,000 with the approval of the County Council.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Charles County, Department of Legislative Services

Fiscal Note History: First Reader - March 10, 2003
mdf/hlb

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