

---

By: **Prince George's County Delegation**

Introduced and read first time: February 9, 2006

Assigned to: Environmental Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - State's Attorney's Office - Composition and**  
 3 **Salaries**  
 4 **PG 301-06**

5 FOR the purpose of increasing the annual salary of the State's Attorney for Prince  
 6 George's County beginning with a certain calendar year; increasing the number  
 7 of assistant State's Attorney positions in the State's Attorney's office; 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 for Prince George's County; and generally relating to  
 12 the composition of and salaries in the office of the State's Attorney for Prince  
 13 George's County.

14 BY repealing and reenacting, with amendments,  
 15 Article 10 - Legal Officials  
 16 Section 40(q)  
 17 Annotated Code of Maryland  
 18 (2005 Replacement Volume)

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

21 **Article 10 - Legal Officials**

22 40.

23 (q) In Prince George's County:

24 (1) (i) The State's Attorney's annual salary shall be:

25 [1. \$107,775 for calendar year 1999;

26 2. \$107,775 for calendar year 2000;

## UNOFFICIAL COPY OF HOUSE BILL 928

- 1                                 3.         \$111,000 for calendar year 2001;
- 2                                 4.         \$114,300 for calendar year 2002;
- 3                                 5.         \$119,900 for calendar year 2003;
- 4                                 6.         \$119,900 for calendar year 2004; and
- 5                                 7.]        1.         \$125,500 for calendar year 2005;
- 6                                 2.         \$125,500 FOR CALENDAR YEAR 2006;
- 7                                 3.         \$128,352 FOR CALENDAR YEAR 2007;
- 8                                 4.         \$134,352 FOR CALENDAR YEAR 2008; AND
- 9                                 5.         \$140,352 FOR CALENDAR YEAR 2009 and for each
- 10 subsequent calendar year.

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

17                             (2)        The State's Attorney may appoint two deputy State's Attorneys and  
18 [73] 78 assistant State's Attorneys. The deputy State's Attorneys and assistant  
19 State's Attorneys serve at the pleasure of the State's Attorney.

20                             (3)        The annual salary of the deputy State's Attorneys shall be within the  
21 discretion of the State's Attorney, but may not exceed [\$108,000] \$115,000. The  
22 salaries are to be paid by the county on the certification of the State's Attorney to the  
23 County Executive and County Council.

24                             (4)        The annual salary of the assistant State's Attorneys shall be within  
25 the discretion of the State's Attorney, but may not exceed [\$100,000] \$107,000. The  
26 salaries are to be paid by the county on the certification of the State's Attorney to the  
27 County Executive and County Council.

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

35                             (6)        The deputy State's Attorneys and the assistant State's Attorneys  
36 shall perform whatever work as may be directed by the State's Attorney, or as

1 authorized by law, and under the direction of the State's Attorney may present cases  
2 to the grand juries, sign indictments and criminal informations, and perform  
3 whatever other acts and duties in relation to the grand juries and in the operation of  
4 the office as are necessary and proper.

5 (7) The State's Attorney may appoint an administrative assistant to  
6 serve at the pleasure of the State's Attorney. The annual salary of the administrative  
7 assistant shall be within the discretion of the State's Attorney, but may not exceed  
8 [\$59,000] \$64,000. The salary is to be paid by the county on the certification of the  
9 State's Attorney to the County Executive and County Council. The administrative  
10 assistant is not subject to the rules and regulations of the county merit system, but  
11 shall be entitled to all benefits provided for county employees under the merit system.

12 (8) (i) All eligible full-time nonexempt employees, as described in the  
13 Prince George's County Labor Code, of the State's Attorney's office shall be subject to  
14 the county personnel law.

15 (ii) An employee described in subparagraph (i) of this paragraph:

16 1. Has the right to organize and bargain collectively; and

17 2. Shall be subject to the Prince George's Labor Code with  
18 regard to collective bargaining for compensation, including pension and fringe  
19 benefits, hours, and terms and conditions of employment.

20 (iii) The County Executive shall be considered the employer of the  
21 employee described in subparagraph (i) of this paragraph only for the purpose of  
22 collective bargaining for compensation, including pension and fringe benefits, and  
23 hours.

24 (iv) 1. The State's Attorney shall be considered the employer of  
25 the employee described in subparagraph (i) of this paragraph for purposes of  
26 collective bargaining for other terms and conditions of employment.

27 2. Any required funding for a collective bargaining  
28 agreement negotiated by the State's Attorney under this subparagraph shall be  
29 subject to the approval of the County Executive.

30 (9) The salary and expenses of the State's Attorney, the deputy State's  
31 Attorneys, and the assistant State's Attorneys shall be paid in equal semimonthly  
32 installments.

33 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §  
34 35 of the Maryland Constitution, this Act may not be construed to extend or apply to  
35 the salary or compensation of the State's Attorney for Prince George's County in office  
36 on the effective date of this Act, but the provisions of this Act concerning the salary or  
37 compensation of the State's Attorney for Prince George's County shall take effect at  
38 the beginning of the next following term of office.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 2006.