
By: **Prince George's County Delegation**
Introduced and read first time: February 9, 2006
Assigned to: Environmental Matters

Committee Report: Favorable
House action: Adopted
Read second time: March 22, 2006

CHAPTER_____

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:

1 **Article 10 - Legal Officials**

2 40.

3 (q) In Prince George's County:

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

5 [1. \$107,775 for calendar year 1999;

6 2. \$107,775 for calendar year 2000;

7 3. \$111,000 for calendar year 2001;

8 4. \$114,300 for calendar year 2002;

9 5. \$119,900 for calendar year 2003;

10 6. \$119,900 for calendar year 2004; and

11 7.] 1. \$125,500 for calendar year 2005;

12 2. \$125,500 FOR CALENDAR YEAR 2006;

13 3. \$128,352 FOR CALENDAR YEAR 2007;

14 4. \$134,352 FOR CALENDAR YEAR 2008; AND

15 5. \$140,352 FOR CALENDAR YEAR 2009 and for each
16 subsequent calendar year.

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

23 (2) The State's Attorney may appoint two deputy State's Attorneys and
24 [73] 78 assistant State's Attorneys. The deputy State's Attorneys and assistant
25 State's Attorneys serve at the pleasure of the State's Attorney.

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

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

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

8 (6) The deputy State's Attorneys and the assistant State's Attorneys
9 shall perform whatever work as may be directed by the State's Attorney, or as
10 authorized by law, and under the direction of the State's Attorney may present cases
11 to the grand juries, sign indictments and criminal informations, and perform
12 whatever other acts and duties in relation to the grand juries and in the operation of
13 the office as are necessary and proper.

14 (7) The State's Attorney may appoint an administrative assistant to
15 serve at the pleasure of the State's Attorney. The annual salary of the administrative
16 assistant shall be within the discretion of the State's Attorney, but may not exceed
17 [\$59,000] \$64,000. The salary is to be paid by the county on the certification of the
18 State's Attorney to the County Executive and County Council. The administrative
19 assistant is not subject to the rules and regulations of the county merit system, but
20 shall be entitled to all benefits provided for county employees under the merit system.

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

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

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

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

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

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

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

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
5 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
6 the salary or compensation of the State's Attorney for Prince George's County in office
7 on the effective date of this Act, but the provisions of this Act concerning the salary or
8 compensation of the State's Attorney for Prince George's County shall take effect at
9 the beginning of the next following term of office.

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