

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE

House Bill 928

(Prince George’s County Delegation)

Environmental Matters

Judicial Proceedings

Prince George's County - State's Attorney's Office - Composition and Salaries
PG 301-06

This bill increases the annual salary of the Prince George’s County State’s Attorney from \$125,500 to \$128,352 for calendar 2007, to \$134,352 for calendar 2008, and to \$140,352 for calendar 2009 and each subsequent year. It increases the maximum annual salaries of the deputy State’s Attorneys from \$108,000 to \$115,000; the maximum annual salaries of the assistant State’s Attorneys from \$100,000 to \$107,000; and the maximum annual salary of the State’s Attorney’s administrative assistant from \$59,000 to \$64,000. The bill also authorizes the State’s Attorney to hire an additional five assistant State’s Attorney’s.

Fiscal Summary

State Effect: General fund expenditures could increase by \$200 in FY 2009 and by \$1,000 in FY 2011 for increased pension contributions for the Prince George’s County State’s Attorney. Revenues would not be affected.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	0	200	600	1,000
Net Effect	\$0	\$0	(\$200)	(\$600)	(\$1,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: Prince George’s County personnel expenditures could increase by \$152,000 in FY 2007 and by \$349,000 in FY 2011 for increased compensation for the Prince George’s County State’s Attorney, as well as the addition of five assistant State’s Attorneys. Revenues would not be affected.

Small Business Effect: None.

Analysis

Current Law: The salary of the Prince George's County State's Attorney is \$125,500 for calendar 2005 and each subsequent year. Salary adjustments for local officials take effect at the beginning of the next term of office, which is January 2007 for the Prince George's County State's Attorney.

In Prince George's County, the State's Attorney may appoint two deputy State's Attorneys, whose maximum annual salary is \$108,000 each. The State's Attorney may also appoint 73 assistant State's Attorneys, whose maximum annual salary is \$100,000 each. Furthermore, the State's Attorney may appoint an administrative assistant whose maximum annual salary is \$59,000.

Background: The salary of the Prince George's County State's Attorney was last changed by Chapter 531 of 2002, when it increased from \$114,300 to \$119,900 for calendar 2003 and 2004; and increased to \$125,500 for calendar 2005 and each subsequent year. Chapter 336 of 2003 increased the number of assistant State's Attorneys from 65 to 73. This Act also increased (1) the maximum salaries of the deputy State's Attorneys from \$97,000 to \$108,000; (2) the maximum salaries of the assistant State's Attorneys from \$90,000 to \$100,000; and (3) the maximum salary of the administrative assistant from \$56,000 to \$59,000. **Exhibit 1** shows the fiscal 2005 actual salaries of State's Attorneys in selected counties.

Exhibit 1 State's Attorneys' Salaries For Washington Metropolitan Area Counties Fiscal 2005 Actuals

<u>County</u>	<u>Population</u>	<u>Salary</u>
Anne Arundel	508,572	\$123,963
Calvert	86,474	101,027
Charles	135,807	101,027
Frederick	217,653	101,027
Howard	266,738	112,252
Montgomery	921,690	142,110
Prince George's	842,967	119,900

Note: The salary of the Prince George's County State's Attorney increased to \$125,500 beginning in calendar 2005.

Source: *Compensation Survey of Maryland Local Governments, FY 2005*, Institute for Governmental Service, University of Maryland

State Fiscal Effect: The State pays the employer contribution on behalf of the county for the Prince George's County State's Attorney's pension. Based on the fiscal 2007 contribution rate of 6.83%, general fund expenditures would increase by \$195 in fiscal 2009 and \$1,014 in fiscal 2011. **Exhibit 2** shows the increased State pension contribution for the Prince George's County State's Attorney for fiscal 2007 through 2011.

Local Fiscal Effect: Prince George's County personnel expenditures for fiscal 2007 would increase by \$1,780 for increased salary (\$1,426) and fringe benefits (\$354) for the State's Attorney, reflecting the six-month period from January through June 2007. This estimate assumes that the employer contribution rate for fringe benefits of 24.8%, as advised by the county, remains constant. Exhibit 2 details the annual compensation increase of the Prince George's County State's Attorney for fiscal 2007 through 2011.

Exhibit 2
Annual Compensation Increase for the Prince George's County State's Attorney
Fiscal 2007 - 2011

<u>Fiscal Year</u>	<u>Salary Increase</u>	<u>Fringe Benefits</u>	<u>County Subtotal</u>	<u>State Retirement</u>	<u>Total</u>
2007	\$1,426	\$354	\$1,780	\$0	\$1,780
2008	5,852	1,451	7,303	0	7,303
2009	11,852	2,939	14,791	195	14,986
2010	14,852	3,683	18,535	605	19,140
2011	14,852	3,683	18,535	1,014	19,550

The fiscal impact associated with increasing the maximum salaries of the deputy State's Attorneys, assistant State's Attorneys, or the State's Attorney's administrative assistant cannot be reliably quantified at this time, as it would depend on the amount of salary increase above the current salary cap. Prince George's County advises, however, that none of the individuals in these positions make the current maximum salary.

The addition of five assistant State's Attorneys could increase county personnel expenditures by approximately \$149,760 in fiscal 2007 for salary and fringe benefits. As advised by the county, this estimate assumes an average base salary for an assistant State's Attorney of \$48,000 and an employer contribution rate for fringe benefits of 24.8%. According to Prince George's County, it currently does not have a pool of

applicants for the five new positions. As such, it is likely that all of the new assistant State's Attorneys would not begin on the effective date of the bill. Therefore, the fiscal 2007 estimate accounts for the effective date of the bill and additional time required to hire five additional assistant State's Attorneys. Out-years reflect annualized salaries and an annual salary increase of 2.5% for each new assistant State's Attorney. To the extent that future salary increases deviate from this assumption, future year expenditures would adjust accordingly. **Exhibit 3** details the fiscal 2007 through 2011 expenditures associated with hiring five additional assistant State's Attorneys.

Exhibit 3
Expenditure Increase for Five Additional Assistant State's Attorneys
Fiscal 2007 – 2011

<u>Fiscal Year</u>	<u>Salaries</u>	<u>Fringe Benefits</u>	<u>Total Increase</u>
2007	\$120,000	\$29,760	\$149,760
2008	246,000	61,008	307,008
2009	252,150	62,533	314,683
2010	258,454	64,097	322,550
2011	264,915	65,699	330,614

Additional Comments: Certain local officials and employees, including county State's Attorneys, are eligible to be members of the State employees' pension system. The employer's share of retirement costs is paid by the State and included in the annual State budget under payments to civil divisions. The proposed fiscal 2007 budget includes \$1.8 million for employer retirement costs associated with these locally paid officials and employees. The fiscal 2007 budget allowance is based on the June 30, 2005, salary base for these employees increased by 5%.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County; *Compensation Survey of Maryland Local Governments, FY 2005*, Institute for Governmental Service, University of Maryland; Department of Legislative Services

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Analysis by: Joshua A. Watters

Direct Inquiries to:
(410) 946-5510
(301) 970-5510