HB1030/600011/1

BY: Environmental Matters Committee

<u>AMENDMENTS TO HOUSE BILL 1030</u>
(First Reading File Bill)

<u>AMENDMENT NO. 1</u>

On page 1, in line 5, strike "repealing the method of determining" and substitute "<u>specifying the amount of</u>"; in line 6, strike "beginning with a" and substitute "<u>for</u>"; in line 7, strike "year" and substitute "<u>years</u>"; in lines 9, 14, 16, and 19, in each instance, after "County" insert "<u>Executive and County</u>"; after line 23, insert:

"<u>BY repealing and reenacting, without amendments,</u>
<u>Article – Criminal Procedure</u>
<u>Section 15–417(a)</u>
<u>Annotated Code of Maryland</u>
<u>(2001 Volume and 2007 Supplement)</u>
<u>(As enacted by Chapter _____ (S.B. 37) of the Acts of the General Assembly of</u>
<u>2008)</u>";

and strike in their entirety lines 25 through 28, inclusive, and substitute:

"<u>Article – Criminal Procedure</u>
<u>Section 15–417(b), (c), and (d)(1)</u>
<u>Annotated Code of Maryland</u>
<u>(2001 Volume and 2007 Supplement)</u>
<u>(As enacted by Chapter _____ (S.B. 37) of the Acts of the General Assembly of</u>
<u>2008)</u>".

<u>AMENDMENT NO. 2</u>

On pages 2 and 3, strike in their entirety the lines beginning with line 3 on page 2 through line 23 on page 3, inclusive, and substitute:

"Article – Criminal Procedure

15–417.

(a)   This section applies only in Prince George's County.

(b)   (1)   **(I)**   The State's Attorney's salary is $125,500 **FOR CALENDAR YEAR 2008 AND FOR EACH SUBSEQUENT CALENDAR YEAR THROUGH CALENDAR YEAR 2010**.

(II)   SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, BEGINNING IN CALENDAR YEAR 2011 AND FOR EACH SUBSEQUENT CALENDAR YEAR, THE STATE'S ATTORNEY'S ANNUAL SALARY SHALL EQUAL THE SALARY OF A CIRCUIT COURT JUDGE.

(III)   BY ENACTING AN ORDINANCE BEFORE THE ELECTION FILING DEADLINE FOR THE NEXT TERM OF OFFICE FOR THE STATE'S ATTORNEY, THE COUNTY EXECUTIVE AND COUNTY COUNCIL MAY SET THE SALARY AT AN AMOUNT EXCEEDING THE SALARY OF A CIRCUIT COURT JUDGE.

(2)   The State's Attorney's salary and expenses shall be paid in equal semimonthly installments.

(c)   (1)   The State's Attorney may appoint [two] **THE NUMBER OF** deputy State's Attorneys and [80] assistant State's Attorneys **AS AUTHORIZED BY LAW BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL**.

(2)   The deputy and assistant State's Attorneys serve at the pleasure of the State's Attorney.

(3)   The salary of a deputy State's Attorney shall be within the discretion of the State's Attorney but may not exceed [$115,000] **A MAXIMUM SALARY AUTHORIZED BY LAW BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL**.

(4)   The salary of an assistant State's Attorney shall be within the discretion of the State's Attorney but may not exceed [$107,000] **A MAXIMUM SALARY AUTHORIZED BY LAW BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL**.

(5)   The county shall pay the salaries of the deputy and assistant State's Attorneys[:

(i)   on certification of the State's Attorney to the County Executive and County Council; and

(ii)] in equal semimonthly installments.

(6)   The deputy and assistant State's Attorneys:

(i)   shall perform the work directed by the State's Attorney or as authorized by law; and

(ii)   under the direction of the State's Attorney, may present cases to the grand jury, sign indictments and criminal informations, and perform other necessary duties relating to the grand jury and the operation of the office.

(d)   (1)   (i)   The State's Attorney may appoint an administrative assistant who serves at the pleasure of the State's Attorney.

(ii)   The salary of the administrative assistant shall be within the discretion of the State's Attorney but may not exceed [$64,000] **A MAXIMUM**

(Over)

<u>SALARY AUTHORIZED BY LAW BY THE COUNTY EXECUTIVE AND COUNTY COUNCIL</u>.

<u>(iii)</u> **[**The county shall pay the salary of the administrative assistant on certification of the State's Attorney to the County Executive and County Council.

<u>(iv)</u>**]** <u>The administrative assistant is not subject to the regulations of the county merit system but is entitled to the same benefits as a county employee under the merit system.</u>".

On page 3 in line 35 and on page 4 in line 1, in each instance, after "County" insert "<u>Executive and County</u>".