

HOUSE BILL 1030

D2

8lr0456

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

Introduced and read first time: February 7, 2008

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 304–08**

5 FOR the purpose of repealing the method of determining the annual salary of the
6 State's Attorney for Prince George's County beginning with a certain calendar
7 year; specifying that the annual salary of the State's Attorney beginning with a
8 certain calendar year shall equal the salary of a circuit court judge; providing
9 that the County Council may set the salary of the State's Attorney at a higher
10 amount by enacting an ordinance before a certain deadline; repealing the
11 maximum number of and maximum salary for deputy and assistant State's
12 Attorneys for Prince George's County; specifying that the State's Attorney may
13 appoint the number of deputy and assistant State's Attorneys that are
14 authorized by law by the County Council; specifying that the maximum salary
15 for deputy and assistant State's Attorneys shall be as authorized by law by the
16 County Council; repealing the maximum annual salary of a certain
17 administrative assistant to the State's Attorney; specifying that the maximum
18 salary of a certain administrative assistant shall be as authorized by law by the
19 County Council; making stylistic changes; providing that this Act does not apply
20 to the salary or compensation of the incumbent State's Attorney for Prince
21 George's County; providing for the construction of this Act; and generally
22 relating to the composition of and salaries in the office of the State's Attorney
23 for Prince George's County.

24 BY repealing and reenacting, with amendments,
25 Article 10 – Legal Officials
26 Section 40(q)(1) through (4) and (7)
27 Annotated Code of Maryland
28 (2005 Replacement Volume and 2007 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article 10 – Legal Officials**

4 40.

5 (q) In Prince George’s County:

6 (1) (i) The State’s Attorney’s annual salary shall be[:

7 1. \$107,775 for calendar year 1999;

8 2. \$107,775 for calendar year 2000;

9 3. \$111,000 for calendar year 2001;

10 4. \$114,300 for calendar year 2002;

11 5. \$119,900 for calendar year 2003;

12 6. \$119,900 for calendar year 2004; and

13 7.] \$125,500 for calendar year 2005 and for each
14 subsequent calendar year **THROUGH CALENDAR YEAR 2010.**

15 (ii) **1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS**
16 **SUBPARAGRAPH, BEGINNING IN CALENDAR YEAR 2011 AND FOR EACH**
17 **SUBSEQUENT CALENDAR YEAR, THE STATE’S ATTORNEY’S ANNUAL SALARY**
18 **SHALL EQUAL THE SALARY OF A CIRCUIT COURT JUDGE.**

19 **2. BY ENACTING AN ORDINANCE BEFORE THE**
20 **ELECTION FILING DEADLINE FOR THE NEXT TERM OF OFFICE FOR THE STATE’S**
21 **ATTORNEY, THE COUNTY COUNCIL MAY SET THE SALARY AT AN AMOUNT**
22 **EXCEEDING THE SALARY OF A CIRCUIT COURT JUDGE.**

23 (III) The State’s Attorney may not, except in connection with
24 duties as State’s Attorney, appear as counsel or represent any party professionally
25 before any court, board, commission, or agency of this State or any county or political
26 subdivision of this State.

27 (IV) The State’s Attorney may not engage in the private practice
28 of law but may participate in the pro bono program administered by the Prince
29 George’s County Bar Foundation.

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

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

6 (3) The annual salary of the deputy State's Attorneys shall be within
7 the discretion of the State's Attorney, but may not exceed [\$115,000. The salaries are
8 to be paid by the county on the certification of the State's Attorney to the County
9 Executive and] **A MAXIMUM SALARY AUTHORIZED BY LAW BY THE** County Council.

10 (4) The annual salary of the assistant State's Attorneys shall be
11 within the discretion of the State's Attorney, but may not exceed [\$107,000. The
12 salaries are to be paid by the county on the certification of the State's Attorney to the
13 County Executive and] **A MAXIMUM SALARY AUTHORIZED BY LAW BY THE** County
14 Council.

15 (7) (I) The State's Attorney may appoint an administrative
16 assistant to serve at the pleasure of the State's Attorney.

17 (II) The annual salary of the administrative assistant shall be
18 within the discretion of the State's Attorney, but may not exceed [\$64,000. The salary
19 is to be paid by the county on the certification of the State's Attorney to the County
20 Executive and] **A MAXIMUM SALARY AUTHORIZED BY LAW BY THE** County Council.

21 (III) The administrative assistant is not subject to the rules and
22 regulations of the county merit system, but shall be entitled to all benefits provided for
23 county employees under the merit system.

24 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
25 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
26 the salary or compensation of the State's Attorney for Prince George's County in office
27 on the effective date of this Act, but the provisions of this Act concerning the salary or
28 compensation of the State's Attorney for Prince George's County shall take effect at
29 the beginning of the next following term of office.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be
31 construed to authorize a different maximum salary than \$115,000 for a deputy State's
32 Attorney, \$107,000 for an assistant State's Attorney, or \$64,000 for an administrative
33 assistant to the State's Attorney unless and until a different maximum salary for the
34 office of deputy State's Attorney or assistant State's Attorney or the administrative
35 assistant to the State's Attorney is authorized by law by the Prince George's County
36 Council. This Act may not be construed to authorize a different maximum number of
37 deputy or assistant State's Attorneys than two deputy State's Attorneys or 80
38 assistant State's Attorneys unless and until a different maximum number of deputy or

1 assistant State's Attorneys is authorized by law by the Prince George's County
2 Council.

3 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.