

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 1016
Economic Matters

(Prince George's County Delegation)

Education, Health, and Environmental
Affairs

**Prince George's County - Board of License Commissioners - Compensation of
Board's Attorney
PG 330-08**

This bill specifies that in fiscal 2008 only, the Prince George's County Council must, on the submission of a request by the Board of License Commissioners, pay the board attorney up to \$53,500, as requested by the board. This payment is in addition to the annual salary of the attorney that is currently in effect. The payments to the attorney under the bill are prospective in effect and may not be construed to be retroactive payments to the attorney. The bill repeals a provision allowing the board to pay legal fees that the board approved but did not pay in prior fiscal years.

The bill takes effect June 1, 2008. The provisions relating to the payment of the board's attorney in fiscal 2008 terminate June 30, 2010.

Fiscal Summary

State Effect: None.

Local Effect: Prince George's County expenditures could increase by up to \$53,500 in FY 2008 only.

Small Business Effect: None.

Analysis

Current Law: The attorney for the Prince George's County Board of License Commissioners receives an annual salary of \$15,500. In addition to the annual salary, the county council must pay to the attorney all court costs and expenses incurred by the attorney and legal fees that the board approves for representation in court, including fees approved by the board but not paid in prior fiscal years. The board establishes the fee rate for representation in court.

Background: The provisions of the bill address concerns raised in the Attorney General's bill review letter for SB 247/HB 492 (Chapter 610) of 2007, which provided that the Prince George's County Council could authorize additional payments to the attorney for the Board of License Commissioners for prior year's representation. Specifically, the Attorney General noted that under Article III, § 35 of the Maryland Constitution, the General Assembly is not permitted to grant or allow extra compensation to any public official after the service has been rendered. The bill is intended to properly allow payment for past due bills that are owed to the attorney.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2008
ncs/hlb

Analysis by: Jennifer K. Botts

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