This bill increases the salaries and travel expenses of specified public officials in Somerset County. Pursuant to constitutional requirements, the salary increases take effect at the beginning of the next terms of office.

Fiscal Summary

State Effect: None.

Local Effect: Somerset County expenditures increase by a minimum of $35,000 in FY 2023 and by a minimum of $60,100 annually thereafter. County revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Current and proposed salary changes for public officials in Somerset County are generally shown in Exhibit 1.
### Exhibit 1
Proposed Salary Changes for Somerset County Officials

<table>
<thead>
<tr>
<th>Public Official</th>
<th>Current Salary</th>
<th>Proposed Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriff</td>
<td>$75,000</td>
<td>$85,000</td>
</tr>
<tr>
<td>State’s Attorney</td>
<td>113,066</td>
<td>129,066</td>
</tr>
<tr>
<td>Orphans’ Court - Associate Judge</td>
<td>3,400</td>
<td>4,800</td>
</tr>
<tr>
<td>Orphans’ Court - Chief Judge</td>
<td>3,800</td>
<td>5,200</td>
</tr>
<tr>
<td>County Commissioner</td>
<td>8,500</td>
<td>10,000</td>
</tr>
<tr>
<td>County Commissioner - President</td>
<td>9,500</td>
<td>11,000</td>
</tr>
<tr>
<td>County Roads Board - Member</td>
<td>7,500</td>
<td>10,000</td>
</tr>
<tr>
<td>County Roads Board - President</td>
<td>8,500</td>
<td>11,000</td>
</tr>
</tbody>
</table>

Source: Department of Legislative Services

The bill also increases, from $34.50 to $55, the daily allowance for any traveling expenses of the chief judge and associate judges of the county’s orphans’ court.

As shown in Exhibit 1, the current State’s Attorney’s annual salary is $113,066; the salary is altered under the bill to be 80% of the salary of a District Court judge. The current (fiscal 2022) salary for a District Court judge is $161,333. Numerous other counties, including Caroline, Dorchester, and Talbot counties, also tie the salary of the State’s Attorney to a percentage of a District Court judge’s salary.

Article III, § 35 of the Maryland Constitution prohibits the salary or compensation of any public official from being increased or diminished during the individual’s term of office, except those whose full term is fixed by law in excess of four years. According to a letter from the counsel to the General Assembly, dated January 17, 1978, salary increases that are to be implemented over a period of time are permissible if implemented before the beginning of the term.

**Local Fiscal Effect:** Somerset County expenditures increase by a minimum of $35,059 in fiscal 2023 and by a minimum of $60,129 annually thereafter. This estimate (1) is based on the current salary for a District Court judge; (2) assumes the next terms of office begin December 2022; and (3) includes fringe benefits and estimated travel expenditures, as provided by the county. The Department of Legislative Services notes, however, that joint resolutions to increase judicial salaries over fiscal 2023 to 2026 have been introduced in both the House and the Senate, pursuant to the statutory requirements regarding the Judicial
Compensation Commission. To the extent that judicial salaries are increased as a result of the resolutions, Somerset County expenditures likewise further increase accordingly.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 382 (Delegate Otto) - Environment and Transportation.

Information Source(s): Somerset County; Judiciary (Administrative Office of the Courts); Maryland State’s Attorneys’ Association; Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2022
js/jkb Third Reader - March 8, 2022

Analysis by: Valarie Munroe

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