

(2) THE SALARIES OF THE POSITIONS APPOINTED UNDER THIS SUBSECTION SHALL BE AS PROVIDED IN THE COUNTY BUDGET.

(E) RESTRICTION ON PRACTICE.

THE STATE'S ATTORNEY SHALL SERVE FULL TIME AND MAY NOT ENGAGE IN THE PRIVATE PRACTICE OF LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 10, § 40(h).

In subsections (b)(1)(ii) and (c)(3)(iii) of this section, the phrase "the same benefits as a full-time county employee" is substituted for the former phrase "all benefits received by full-time employees of Cecil County" to reflect the general preference in revised articles of the Code for the use of the singular rather than the plural construction.

In subsection (b)(2) of this section, the former phrase "[i]n addition to the compensation provided for in this section" is deleted as surplusage.

In subsection (c)(2) of this section, the former reference to "the trial of criminal proceedings" is deleted as surplusage.

In subsection (d)(1)(i) of this section, the former reference to the State's Attorney being "the appointing authority for all employees of that office" is deleted as surplusage.

In subsection (e) of this section, the former phrase "during the State's Attorney's term of office" is deleted as surplusage.

Also in subsection (e) of this section, the phrase "serve full time" is substituted for the former phrase "devote full time to the duties of the office" for brevity and consistency with similar provisions in this subtitle.

The Criminal Procedure Article Additions Review Committee notes, for consideration by the General Assembly, that the provision in subsection (b)(2)(ii) of this section that allows the State's Attorney to spend money "subject to the approval of the administrative judge of the circuit court for the county" may be unconstitutional because it assigns a nonjudicial duty to the administrative judge. See *Robey v. Commissioners of Prince George's County*, 92 Md. 150, 48A. 98 (1900), which held that a statute requiring the circuit courts to approve the accounts of sheriffs as a