

# MAINE STATE LEGISLATURE

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February 11, 1942

The Attorney General

The State Controller

In re P. L. 1941, Chapter 325, Section 2,  
Salary Adjustments.

I have discussed the above named matter with Senator Stilphen Chairman of the Salaries Committee of the Legislature. In his mind the intention of the Legislature was to increase the base rate of certain State employees by 10%.

There is an ambiguity in the use of the words "or as soon thereafter as may be deemed wise by the governor". Moreover, the Commissioner of Health and Welfare, the Director of Personnel, the Highway Department and you yourself have pointed out that seizing on the one date of February 2, 1942 as the date at which such an increase should be frozen will result in serious distortion in pay rolls and, to a large extent, defeat the purpose of the bill. This purpose is (1) to try to hold present employees of the State by an increase in wages, and (2) an endeavor to make it possible by an increase in the base rate to fill vacancies caused by resignation, death, the Army draft, etc..

It was apparently the belief of the Governor when he signed the bill making it law, that it had to do with the scale of wages and was not a single increase to be applied to persons who happened to be in the employ of the State on a certain date.

The Legislature in appropriating funds set up enough, so the Commissioner of Finance states, to provide for the increase of the base rate of wages instead of the considerably smaller amount which would be required if the raise were to be applied to certain definite employees.

It is, therefore, my opinion the Act should be so construed as to increase the rate of wages within the limits set by the Act itself rather than that it be confined to those persons who were in the employ of the State on February 2, 1942.

Frank I. Cowan  
Attorney General

FIC h  
cc to Governor Sewall  
Auditor  
Commissioner of Finance

Comm'r Health and Welfare  
Highway Dept.  
Director of Personnel