

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

May 20, 1977

Committee on Appropriations and Financial Affairs
State House
Augusta, Maine

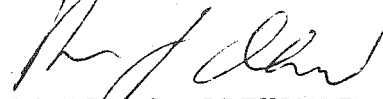
Re: Assistant District Attorneys' Salaries - Opinion
Clarification

This letter is to clarify the opinion to you of this date regarding the salaries for Assistant District Attorneys. Reviewing the statute applying to the salaries of Assistant District Attorneys, 30 M.R.S.A. § 554-A, it is apparent that the salaries which Assistant District Attorneys may be paid is limited not only by the statutory \$17,000 per attorney maximum, but also by aggregate maximums for each prosecutorial district as specified in sub-§§ 4, 5 and 6 of § 554-A.

Accordingly, we would advise that the salaries of Assistant District Attorneys are subject to the provisions of the Hay Plan but only to the extent that the effect of the Hay Plan would be to increase salaries of Assistant District Attorneys to a level of less than \$17,000 per year, provided, however, that the aggregate sums paid to Assistant District Attorneys cannot exceed the sums specified in sub-§§ 4, 5 and 6 of 30 M.R.S.A. § 554-A. If compliance with the Hay Plan within the \$17,000 limit would require increase of Assistant District Attorneys' salaries above the aggregate maximum, then increases in the salaries to meet the Hay Plan requirements cannot be given. Salaries may only be increased to the extent that

the total expended for salaries in any fiscal year does not exceed the aggregate maximums specified in the law.

Sincerely,



DONALD G. ALEXANDER
Deputy Attorney General

DGA/ec

cc: All District Attorneys
Robert Stolt