

# MAINE STATE LEGISLATURE

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1 (EMERGENCY)  
2 FIRST REGULAR SESSION  
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE  
5

6 Legislative Document

No. 361

7  
8 H.P. 265

House of Representatives, February 1, 1985

9 Reference to the Committee on Appropriations and Financial Affairs  
10 suggested and ordered printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Lisnik of Presque Isle.

12 Cosponsored by Representative Stevens of Bangor, Representative Kane  
of South Portland and Senator Pearson of Penobscot.

13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FIVE  
17

18 AN ACT Relating to Increases of Salaries for  
19 District Attorneys and Assistant  
20 District Attorneys.  
21

22 **Emergency preamble.** Whereas, Acts of the Legis-  
23 lature do not become effective until 90 days after  
24 adjournment unless enacted as emergencies; and

25 Whereas, the duties and responsibilities of dis-  
26 trict attorneys and assistant district attorneys con-  
27 tinue to increase, particularly in the area of child  
28 abuse; and

29 Whereas, there is and will be in the foreseeable  
30 future an increasing need to provide salary levels  
31 for prosecutors which have a significant relationship  
32 to other positions within the legal profession to  
33 continue to attract and retain highly competent dis-  
34 trict attorneys and assistant district attorneys; and

1           Whereas, in the judgment of the Legislature,  
2 these facts create an emergency within the meaning of  
3 the Constitution of Maine and require the following  
4 legislation as immediately necessary for the preser-  
5 vation of the public peace, health and safety; now,  
6 therefore,

7           Be it enacted by the People of the State of Maine as  
8 follows:

9           Sec. 1. 30 MRSA §553-B, sub-§1, as amended by PL  
10 1983, c. 477, Pt. E, sub-pt. 6, §1, is further  
11 amended to read:

12           1. Annual salary. The district attorney for each  
13 of the several prosecutorial districts, as described  
14 in section 553-A, shall receive an annual salary of  
15 ~~\$29,520 until June 30, 1984, and \$30,996~~ \$34,096 for  
16 fiscal year 1986, \$37,506 for fiscal year 1987,  
17 \$41,257 for fiscal year 1988 and \$45,383 for fiscal  
18 year 1989 and thereafter.

19           Sec. 2. 30 MRSA §553-B, sub-§3, as amended by PL  
20 1981, c. 702, Pt. L, §§2 to 4, is further amended to  
21 read:

22           3. Additional sums. In addition to the annual  
23 salary as set forth in subsection 1, each district  
24 attorney shall receive such additional sums for which  
25 he qualifies under the following provisions:

26           A. ~~\$1,200~~ \$2,000 for each full calendar year of  
27 prior service as an elected or appointed Attorney  
28 General, Deputy Attorney General, United States  
29 Attorney or district attorney within the State of  
30 Maine;

31           B. ~~\$300~~ \$500 for each 50,000 persons constitut-  
32 ing the population of his district according to  
33 the latest Federal Decennial Census;

34           C. ~~\$300~~ \$500 for each county within the dis-  
35 trict;

36           D. ~~\$400~~ \$1,000 for each full calendar year of  
37 prior service as a full-time assistant district

1 attorney, United States attorney or assistant at-  
2 torney general and \$500 for each full year as a  
3 part-time assistant in such capacity; and

4 E. ~~\$400~~ \$500 for each full calendar year of pri-  
5 or service as an elected or appointed county at-  
6 torney; and

7 F. In addition to the sums allowed in this sec-  
8 tion, funds shall be provided for fringe benefits  
9 for which other state officers and employees, in-  
10 cluding confidential employees, are eligible.

11 Sec. 3. 30 MRSA §554-A, sub-§5, as amended by PL  
12 1983, c. 477, Pt. E, sub-pt. 6, §2, is further  
13 amended to read:

14 5. Compensation for assistant district attor-  
15 neys. For the compensation of assistant district at-  
16 torneys, the district attorneys shall be allowed an-  
17 nually sums up to the limit of ~~\$29,520 plus 44¢~~ for  
18 each person constituting the population of his dis-  
19 trict according to the latest Federal Decennial Cen-  
20 sus until June 30, 1984, and \$30,996 plus 46¢ \$34,096  
21 for fiscal year 1986, \$37,506 for fiscal year 1987,  
22 \$41,257 for fiscal year 1988, and \$45,383 for fiscal  
23 year 1989 and thereafter; plus, for each person con-  
24 stituting the population of his district according to  
25 the latest Federal Decennial Census, 64¢ for fiscal  
26 year 1986, 69¢ for fiscal year 1987, 74¢ for fiscal  
27 year 1988, and 79¢ for fiscal year 1989 and thereaf-  
28 ter. In addition to the sums allowed in this sec-  
29 tion, funds shall be provided for fringe benefits for  
30 which other state employees, including confidential  
31 employees, are eligible.

32 **Emergency clause.** In view of the emergency cited  
33 in the preamble, this Act shall take effect when ap-  
34 proved.

35 STATEMENT OF FACT

36 It is the intent of this bill to provide salaries  
37 and fringe benefits for district attorneys and as-

1     sistant district attorneys that have a significant  
2     relationship to comparable state officers and employ-  
3     ees, namely, the Attorney General, those within the  
4     Criminal Division of the Department of the Attorney  
5     General, confidential employees and the judiciary.

6             Further, with regard to funds for salaries for  
7     assistant district attorneys, this bill incorporates  
8     the recommendations of the Petit Commission on Child  
9     Abuse.

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