

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 586

S.P. 219

In Senate, March 3, 1987

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

JOY J. O'BRIEN, Secretary of the Senate  
Presented by Senator PEARSON of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT to Raise the Compensation of District  
and Assistant District Attorneys.

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

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

1. Annual salary. The district attorney for each of the several prosecutorial districts, as described in section 553-A, shall receive an annual salary of \$29,520 until June 30, 1987, and \$30,996 thereafter \$38,000 for fiscal year 1988, \$42,000 for fiscal year 1989, \$46,000 for fiscal year 1990 and \$50,000 for fiscal year 1991 and thereafter.

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

4           3. Additional sums. In addition to the annual  
5 salary as set forth in subsection 1; each district  
6 attorney shall receive such additional sums for which  
7 he qualifies under the following provisions:

8           A. ~~\$1,200~~ \$2,000 for each full calendar year of  
9 prior service as an elected or appointed Attorney  
10 General, Deputy Attorney General, United States  
11 Attorney or district attorney within the State of  
12 Maine;

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

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

18           D. ~~\$400~~ \$1,000 for each full calendar year of  
19 prior service as a full-time assistant district  
20 attorney, United States attorney or assistant at-  
21 torney general; ~~and~~ and \$500 for each full year  
22 as a part-time assistant in that capacity;

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

26           F. In addition to the sums allowed in this sec-  
27 tion, funds shall be provided for fringe benefits  
28 for which other state officers and employees, in-  
29 cluding confidential employees, are eligible.

30           Sec. 3. 30 MRSA §554-A, sub-§5, as amended by PL  
31 1985, c. 501, Pt. B, §20, is further amended to read:

32           5. Compensation for assistant district attor-  
33 neys. For the compensation of assistant district at-  
34 torneys, the district attorneys shall be allowed an-  
35 nually sums up to the limit of ~~\$43,953.50~~ plus 55¢  
36 \$35,000 plus 73¢ for each person constituting the  
37 population of his district according to the latest  
38 Federal Decennial Census formal population estimate

1 of the Department of Human Services, Office of Vital  
2 Statistics. In addition to the sums allowed in this  
3 section, funds shall be provided for fringe benefits  
4 for which other state employees, including confiden-  
5 tial employees, are eligible.

6 Sec. 4. Appropriation. The following funds are  
7 appropriated from the General Fund to carry out the  
8 purposes of this Act.

9		<u>1987-88</u>	<u>1988-89</u>
10	<u>ATTORNEY GENERAL, DEPART-</u>		
11	<u>MENT OF THE</u>		
12	All Other	\$327,500	\$372,500
13	Funds to pro-		
14	vide \$135,000		
15	in 1987-88 and		
16	\$180,000 in		
17	1988-89 for		
18	district attor-		
19	ney salaries		
20	and \$192,500 in		
21	1987-88 and		
22	\$192,500 in		
23	1988-89 for as-		
24	stant dis-		
25	trict attorney		
26	salaries.		

27 STATEMENT OF FACT

28 It is the intent of this bill to provide salary  
29 increases and fringe benefits for district attorneys  
30 and assistant district attorneys that have a more  
31 significant relationship to comparable state officers  
32 and employees, namely, the Attorney General, those  
33 within the Criminal Division of the Department of the  
34 Attorney General, cabinet members, confidential em-  
35 ployees and the judiciary.

36 In 1973 when the full-time district attorney sys-  
37 tem was created by the Legislature, it was the intent

1 that district attorney salaries have parity with  
2 those of judges of the Superior Court which were set  
3 at that time for both at \$23,500 a year. Since then,  
4 the salaries of Superior Court judges have risen to  
5 the present level of \$63,625 and which will increase  
6 to \$68,715 on July 1, 1987, and \$73,100 on July 1,  
7 1988.

8 By contrast, district attorneys have not had a  
9 base salary increase in 4 years and they presently  
10 receive an average salary of \$39,971, range of  
11 \$33,496 to \$46,696. Further, population increases,  
12 child abuse cases and drug related prosecutions have  
13 caused dramatically increased caseloads, particularly  
14 in southern Maine, which require significant addi-  
15 tional funding for assistant district attorneys.

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