



ARTHUR T. LAPRADE
ATTORNEY GENERAL

OFFICE OF
Attorney General
STATE CAPITOL
Phoenix, Arizona
March 21, 1933

Honorable D. B. Moeur,
Governor, State of Arizona,
Capitol Building,
Phoenix, Arizona.

My dear Sir:

Your letter of the 16th instant, in which was enclosed letter from Mr. T. H. Wagner, has been handed to me for answer.

Responsive to your request, I advise you as follows:

The Constitution of this State prohibits the increase or decrease of any officer's salary during the period for which he was elected. It does not, however, prohibit the salary fixing authorities from increasing or reducing the officer's salary prior to the time that his term of office commences. Undoubtedly, this is what happened in the case of Mr. Wagner;

County Supervisors have the right and authority to fix the salaries of Constables and, so long as they do not attempt to alter or change the salary of a constable during the term for which he was elected their action is absolute.

It is unfortunate for Mr. Wagner that the Supervisors saw fit to reduce the salary of the Constable to such a low figure but, in my opinion, they were within their rights in doing so if they thought such action necessary.

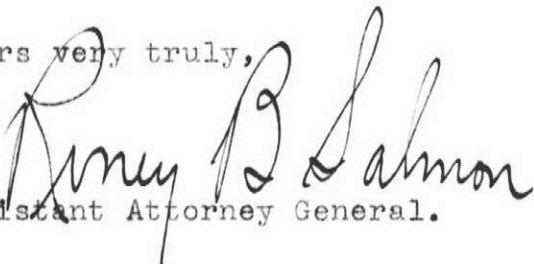
The fact that it was understood that Constables were to be made Deputy Sheriffs and receive a salary as such, and in no wise effects the action of the Board of Supervisors since the several Sheriffs

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in this State are alone vested with the authority of designating their respective deputies.

Yours very truly,


Assistant Attorney General.

RBS:H