

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION
(EMERGENCY)

ONE-HUNDREDDTH LEGISLATURE

Legislative Document

No. 1693

S. P. 616

In Senate, November 27, 1961

The Committee on State Government suggested.

CHESTER T. WINSLOW, Secretary

Presented by Senator Erwin of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-ONE

AN ACT Increasing the Number of Justices of the Superior Court.

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless passed as emergencies; and

Whereas, the Constitution of Maine provides that every citizen shall have a remedy by due course of law promptly and without delay; and

Whereas, it appears that the growing population is casting an increasing workload and burden on our Superior Court; and

Whereas, an additional justice to said court should be appointed without delay to expedite and assist in the speedy and prompt disposal of cases pending before said Superior Court; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. R. S., c. 106, § 1, amended. The first sentence of section 1 of chapter 106 of the Revised Statutes is amended to read as follows:

'The Superior Court, as heretofore established, shall consist of 89 justices and such Active Retired Justices as may be appointed and serving on said court, learned in the law and of sobriety of manners.'

Sec. 2. R. S., c. 106, § 2, amended. The 2nd sentence of section 2 of chapter 106 of the Revised Statutes, as last repealed and replaced by section 68 of chapter 378 of the public laws of 1959, is amended to read as follows:

'Chapter 103, section 4, relating to reimbursement of Justices of the Supreme Judicial Court for expenses incurred by them shall apply to Justices of the Superior Court, including reimbursement for expenses incurred in employing clerical assistance but which in the aggregate shall not exceed a total sum of ~~\$4,000~~ \$4,500 per year for all such clerical assistance.'

Sec. 3. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$10,565 for the fiscal year ending June 30, 1962 and the sum of \$16,050 for the fiscal year ending June 30, 1963 to the Superior Court to carry out the purposes of sections 1 and 2; the breakdown shall be as follows:

	1961-62	1962-63
SUPREME JUDICIAL AND SUPERIOR COURTS		
Personal Service (1)	\$ 8,875	\$13,500
All Other	1,690	2,550
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Total	\$10,565	\$16,050

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.