

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 852

S. P. 290

In Senate, February 3, 1965

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Stern of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

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., T. 4, § 101, amended. The first sentence of section 101 of Title 4 of the Revised Statutes is amended to read as follows:

‘The Superior Court, as heretofore established, shall consist of ~~9~~ 10 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., T. 4, § 102, amended. The last sentence of section 102 of Title 4 of the Revised Statutes is amended to read as follows:

'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 ~~\$4,500~~ \$5,000 per year for all such clerical assistance.'

Sec. 3. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$13,000 for the fiscal year ending June 30, 1966 and the sum of \$20,000 for the fiscal year ending June 30, 1967 to the Superior Court to carry out the purposes of this Act. The breakdown shall be as follows:

	<u>1965-66</u>		<u>1966-67</u>
SUPREME JUDICIAL AND SUPERIOR COURTS			
Personal Services (1)	\$11,300	(1)	\$16,500
All Other	2,300		3,500
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Total	\$13,600		\$20,000

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