

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 532

S. P. 155

In Senate, February 4, 1969

On Motion of Senator Mills of Franklin. Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Violette of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Retirement of Justices of the Supreme Judicial and Superior Courts and Judges of the District Court.

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

Sec. 1. R. S., T. 4, § 5, amended. The first paragraph of section 5 of Title 4 of the Revised Statutes, as amended, is further amended to read as follows:

Any Justice of the Supreme Judicial Court who resigns his office or ceases to serve at the expiration of any term thereof, after attaining the age of ~~70~~ **65** years and after having served as a justice on either the Supreme Judicial Court or the Superior Court, or both, for at least 7 consecutive years, shall receive annually during the remainder of his life, whether or not he is appointed an Active Retired Justice as provided in section 6, an amount equal to $\frac{3}{4}$ of the currently effective annual salary of a Justice or Chief Justice of the Supreme Judicial Court, as the case may be, to be paid in the same manner as the salaries of the justices of said court are paid. Such justice shall terminate his service before his ~~71st birthday~~ **71st birthday**. Any justice, who continues to serve until or after ~~the birthday applicable to the termination of his service~~ **his 71st birthday**, shall waive his right to the compensation mentioned and make no claim therefor at the termination of his service. The right of any justice drawing such compensation to continue to receive it shall cease immediately if he acts as attorney or counsellor in any action or legal proceeding in which the State is an adverse party or has any interest adverse to the person or persons in whose behalf he acts.

Sec. 2. R. S., T. 4, § 6, amended. The first sentence of section 6 of Title 4 of the Revised Statutes is amended to read as follows:

Any Justice of the Supreme Judicial Court, who, having attained the age of ~~70~~ 65 years and having served as such justice on either or both the Supreme Judicial Court or of the Superior Court for at least 7 consecutive years, resigns his said office or ceases to serve at the expiration of any term thereof shall be eligible for appointment as an Active Retired Justice of the Supreme Judicial Court as provided.

Sec. 3. R. S., T. 4, § 103, amended. The first paragraph of section 103 of Title 4 of the Revised Statutes, as amended, is further amended to read as follows:

Any Justice of the Superior Court who resigns his office or ceases to serve at the expiration of any term thereof, after attaining the age of ~~70~~ 65 years and after having served as such justice for at least 7 consecutive years, shall receive annually during the remainder of his life an amount equal to $\frac{3}{4}$ of the currently effective annual salary of a Justice of the Superior Court, to be paid in the same manner as the salaries of the justices of said court are paid. Such justice shall terminate his service before his 71st birthday. Any justice who continues to serve until or after ~~the birthday applicable to the termination of his service~~ his 71st birthday shall waive his right to the compensation mentioned and make no claim therefor at the termination of his service. The right of any justice drawing such compensation to continue to receive it shall cease immediately, if he acts as attorney or counsellor in any action or legal proceeding in which the State is an adverse party or has any interest adverse to the person or persons in whose behalf he acts.

Sec. 4. R. S., T. 4, § 104, amended. The first sentence of section 104 of Title 4 of the Revised Statutes is amended to read as follows:

Any Justice of the Superior Court who having attained the age of ~~70~~ 65 years and having served as such justice on either or both the Supreme Judicial Court or the Superior Court for at least 7 consecutive years resigns his said office, or ceases to serve at the expiration of any term thereof, shall be eligible for appointment as an Active Retired Justice of the Superior Court as provided.

Sec. 5. Appropriation. There is appropriated from the General Fund the sum of \$30,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1969-70	1970-71
DEPARTMENT		
Supreme Judicial and Superior Courts		
All Other	\$15,000	\$15,000