

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 108**

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H. P. 67

House of Representatives, January 7, 1971

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

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hewes of Cape Elizabeth.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-ONE

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**AN ACT** Relating to Service of Justices of the Supreme Judicial Court and  
and the Superior Court for Retirement.

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

**Sec. 1. R. S., T. 4, § 5, amended.** The first sentence 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 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, or after attaining the age of 65 years and after having served as a justice on either of said courts, or both, for at least 12 ~~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.

**Sec. 2. R. S., T. 4, § 103, amended.** The first sentence 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 years and after having served as such justice for at least 7 ~~consecutive~~ years, or after attaining the age of 65 years and after having served as such justice for at least 12 ~~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.

#### STATEMENT OF FACT

The purpose of this bill is to eliminate the possibility that the retirement benefits of a justice may be lost because his terms are not consecutive.