

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
106TH LEGISLATURE

COMMITTEE AMENDMENT " A " to S. P. 603, L. D. 1897, Bill,
"AN ACT Relating to the Cost of Operation of and Venue in the
Superior Courts."

Amend said Bill by inserting after section 45 the following:

'Sec. 45-A. R. S., T. 27, §222, amended. The first sentence
of section 222 of Title 27 of the Revised Statutes is repealed
and the following enacted in place thereof:

The treasurer of each library association, under the direction of
the trustees, shall apply all moneys received of the county treasurer
and of the Treasurer of State and all bequests and gifts, to form
a law library under the appointed regulations.

Sec. 45-B. R. S., T. 27, §224, amended. The first and last
paragraphs of section 224 of Title 27 of the Revised Statutes, as
last repealed and replaced by chapter 255 of the public laws of 1971,
are repealed and the following enacted in place thereof:

The Treasurer of State shall pay annually to the treasurer
of the Law Library Associations of the several counties for the uses
and benefits of the county law libraries as follows:

The treasurer of each Law Library Association shall account
to the State Auditor for all receipts and disbursements made under
this section. All such receipts and disbursements shall be subject
to audit.'

(Filing No. S-219)

Further amend said Bill by striking out all of section 64 and inserting in place thereof the following:

'Sec. 64. Transitional provisions.

1. Effective date. This Act shall become effective January 1, 1975.

2. Options for personnel and employment benefits of personnel.

Any employee or official of the court compensated or otherwise paid or retained by a county on January 1, 1975 shall have the opportunity of employment or retention with the court compensated by the State and may be employed in unclassified service similar to other judicial officers and employees. Each employee or official of the court paid by a county on January 1, 1975 who exercises the opportunity of employment with the court compensated by the State in the unclassified service and who, as an employee or official of a county was a member of the Maine State Retirement System, shall be credited with all such time accrued as such member, and shall be entitled to all benefits of a state employee in the unclassified service on January 1, 1975 and longevity based upon continuous years of service with the county, and prior state service, if such service immediately preceded employment with the county.

All employees or officials of the court employed or otherwise retained and compensated by a county on January 1, 1975 shall continue their membership, if such exists, in the Maine State Retirement System. If such membership does not exist, each person shall have the option of becoming a member of the Maine Retirement

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System or of maintaining his nonmember status. Such election shall be made not later than January 10, 1975. As to each such employee who is or becomes a member of the Maine State Retirement System, it shall as of January 1, 1975 be the responsibility of the Supreme Judicial and Superior Courts to provide for payment ^{their} from ~~the~~ appropriations the amount equal to the State's contribution to the retirement system for such employee. The employee fund transfer shall be in accordance with the procedure detailed in Title 5, section 1092, subsection 11. Each officer or employee may be employed in the unclassified service, and if so employed, shall serve in a position comparable to the position held by such employee immediately prior to January 1, 1975. The total number of positions authorized with the Supreme Judicial and Superior Courts may be increased by a number equal to, but not to exceed the number of officers and employees of the courts as employed by the several counties on January 1, 1975.

Sec. 65. Appropriation. There is appropriated from the General Fund to the Supreme Judicial and Superior Courts the sum of \$996,125 to carry out the purposes of this Act. The breakdown shall be as follows:

	<u>1974-75</u>
SUPREME JUDICIAL AND SUPERIOR COURTS	
Unallocated	\$996,125'

(Filing no. S-219)

Fiscal Note

This appropriation is unallocated similar to procedures for budgeting appropriations for District Courts. The appropriation detail shall be broken down in work programs and allotments at the time of submission for approval of quarterly allocations by the Governor and Executive Council.

Statement of Fact

The purpose of this amendment is to revise the effective date of this Act and to delineate transitional provisions necessary for the orderly transfer of operational costs, to provide an appropriation for the Act and to provide for payment by the State of the operational costs of the county law libraries.

Reported by the Committee on Judiciary.

Reproduced and Distributed pursuant to Senate Rule 11 A.

June 8, 1973. (Filing No. S-219).