

# MAINE STATE LEGISLATURE

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1 (New Draft of S.P. 657, L.D. 1847)

2 SECOND REGULAR SESSION  
3

4 ONE HUNDRED AND ELEVENTH LEGISLATURE  
5

6 Legislative Document

No. 2262

7  
8 S.P. 842

In Senate, March 15, 1984

9 Reported by Majority Report from the Committee on Judiciary and  
10 printed under Joint Rule 2.

Original bill presented by Senator Trafton of Androscoggin.

11 JOY J. O'BRIEN, Secretary of the Senate

12  
13 STATE OF MAINE  
14

15 IN THE YEAR OF OUR LORD  
16 NINETEEN HUNDRED AND EIGHTY-FOUR  
17

18 AN ACT to Increase the Number of Superior  
19 Court Justices and District Court Judges.  
20

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

23 Sec. 1. 4 MRSA §101, as amended by PL 1973, c.  
24 599, §1, is further amended to read:

25 §101. Constitution of court

26 The Superior Court, as ~~heretofore~~ established,  
27 shall consist of ~~14~~ 15 justices until June 30, 1985;  
28 16 justices until June 30, 1986; and 17 justices  
29 thereafter and such Active Retired Justices as may be  
30 appointed and serving on ~~said~~ that court, learned in  
31 the law and of sobriety of manners. The Chief Justice  
32 of the Supreme Judicial Court shall assign the Jus-  
33 tices of the Superior Court to hold the trial terms

1 of said that court. Whenever in the opinion of the  
2 Chief Justice of the Supreme Judicial Court it be-  
3 comes necessary, he may designate a Justice of the  
4 Supreme Judicial Court or any Active Retired Justice  
5 of the Supreme Judicial Court or of the Superior  
6 Court to hold a term of said that Superior Court, or  
7 may designate any of such justices or a Justice of  
8 the Superior Court to hold one or more sessions  
9 thereof, separate from the session presided over by  
10 the justice holding the regular trial term.

11 Sec. 2. 4 MRSA §157, first ¶, as amended by PL  
12 1983, c. 477, Pt. E, sub-pt. 1, §3, is further  
13 amended to read:

14 The Governor, subject to review by the joint  
15 standing committee of the Legislature having juris-  
16 diction over judiciary and to confirmation by the  
17 Legislature, shall appoint to the District Court 6 7  
18 judges at large until June 30, 1985; 8 judges at  
19 large until June 30, 1986; and 9 judges at large  
20 thereafter and 15 judges. At least one judge shall  
21 be appointed in each district who shall be a resident  
22 thereof, except that in District 3 there shall be 2  
23 judges appointed who shall be residents thereof and  
24 except that in District 9 there shall be 2 judges ap-  
25 pointed who shall be residents thereof. Each shall  
26 have a term of office of 7 years. Each judge shall  
27 receive an annual salary of \$42,086 and the Chief  
28 Judge shall receive an annual salary of \$43,186. The  
29 Chief Justice of the Supreme Judicial Court shall  
30 designate one of the judges as Chief Judge. Each  
31 judge shall be reimbursed for his expenses actually  
32 and reasonably incurred by him in performing his du-  
33 ties, upon presentation to the State Controller of a  
34 detailed statement of such expenses approved by the  
35 Chief Judge. The Chief Judge, with the advice and  
36 consent of the Chief Justice of the Supreme Judicial  
37 Court, shall designate one of the District Court  
38 Judges as Deputy Chief Judge. The Deputy Chief Judge  
39 shall receive compensation of \$500 annually in addi-  
40 tion to his annual salary as District Court Judge.

41 Sec. 3. Appropriation. The following funds are  
42 appropriated from the General Fund to carry out the  
43 purposes of this Act.

1		<u>1984-85</u>
2	<u>JUDICIAL DEPARTMENT</u>	
3	Courts - Supreme, Superior,	
4	District and Administrative	
5	Personal Services	\$89,255
6	All Other	2,000
7	Capital Expenditures	<u>5,000</u>
8	TOTAL	\$96,255

9 FISCAL NOTE

10 An appropriation of \$96,255 is required to fund  
11 one additional justice and one judge in fiscal year  
12 1984-85. Additional expenditures will be required to  
13 fund the addition of 2 more positions in fiscal year  
14 1985-86 and the remaining 2 positions in fiscal year  
15 1986-87. Subject to future adjustments in salary  
16 levels or other expenses, the total cumulative ex-  
17 pense for fiscal year 1985-86 will be \$192,510 for 2  
18 justices and 2 judges and for fiscal year 1986-87  
19 will be \$288,765 for 3 justices and 3 judges.

20 STATEMENT OF FACT

21 This new draft phases in the 6 additional jus-  
22 tices and judges over a 3-year period and adds an ap-  
23 propriation and a fiscal note.

24 6092030584