

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1294

7 H.P. 899

House of Representatives, April 10, 1985

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

10 EDWIN H. PERT, Clerk

Presented by Representative Carrier of Westbrook.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 RESOLUTION, Proposing an Amendment
18 to the Constitution of Maine
19 Relating to Salaries Received by Judges
20 Who have been Relieved of Their Duties.
21

22 Constitutional amendment. RESOLVED: Two thirds
23 of each branch of the Legislature concurring, that
24 the following amendment to the Constitution of Maine
25 be proposed:

26 Constitution Art. VI, §2 is amended to read:

27 Section 2. Compensation. The Justices of the Su-
28 preme Judicial Court and the Judges of other courts
29 shall, at stated times receive a compensation, which
30 shall not be diminished during their continuance in
31 office, but they shall receive no other fee or reward
32 for their services as Justices or Judges. If a Jus-
33 tice or Judge is relieved of his duties pending any
34 investigation for possible misconduct, that Justice
35 or Judge shall not receive compensation for the peri-
36 od of time that he is relieved of his duties, but, if

1 it is determined that no misconduct occurred, he may
2 be paid that compensation for that period of time.

3 **Constitutional referendum procedure; form of**
4 **question; effective date. Resolved:** That the city
5 aldermen, town selectmen and plantation assessors of
6 this State shall notify the inhabitants of their re-
7 spective cities, towns and plantations to meet, in
8 the manner prescribed by law for holding a statewide
9 election, at a statewide election, on the Tuesday
10 following the first Monday of November following the
11 passage of this resolution, to vote upon the ratifi-
12 cation of the amendment proposed in this resolution
13 by voting upon the following question:

14 "Shall the Constitution of Maine be amended to
15 provide that Judges relieved of their duties
16 pending investigation of possible misconduct not
17 be paid during that period of time?"

18 The legal voters of each city, town and
19 plantation shall vote by ballot on this question, and
20 shall designate their choice by a cross or check mark
21 placed within the corresponding square below the word
22 "Yes" or "No." The ballots shall be received,
23 sorted, counted and declared in open ward, town and
24 plantation meetings and returns made to the Secretary
25 of State in the same manner as votes for members of
26 the Legislature. The Governor shall review the re-
27 turns and, if it appears that a majority of the legal
28 voters are in favor of the amendment, the Governor
29 shall proclaim that fact without delay and the amend-
30 ment shall become part of the Constitution on the
31 date of the proclamation.

32 **Secretary of State shall prepare ballots. Re-**
33 **solved:** That the Secretary of State shall prepare
34 and furnish to each city, town and plantation all
35 ballots, returns and copies of this resolution neces-
36 sary to carry out the purposes of this referendum.

1

STATEMENT OF FACT

2 The purpose of this constitutional resolution is
3 to require that, if a Judge is relieved of his duties
4 pending an investigation of possible misconduct, he
5 shall not be paid during that time. If it is deter-
6 mined that no misconduct occurred, he may be repaid
7 for the compensation lost.

8

1373021385