

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 517

S.P. 190

In Senate, February 24, 1987

Reference to the Committee on Judiciary suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator BRANNIGAN of Cumberland.

Cosponsored by Representative PARADIS of Augusta,
Representative MARSANO of Belfast, Senator GAUVREAU of
Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-SEVEN

AN ACT Relating to Active Retired Judges in
the Administrative Court.

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

4 MRSA §1151, sub-§3, ¶H is enacted to read:

H. Any Administrative Court Judge who retires or terminates his service on the court in accordance with chapter 27, except for a disability retirement, is eligible for appointment as an Active Retired Judge of the Administrative Court as provided. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary and to confirmation by the Legislature, may appoint any eligible judge to be an Active Retired Judge of the Admin-

1 istrative Court for a period of 7 years, unless
2 sooner removed. That judge may be reappointed for
3 a like term. Any judge so appointed and design-
4 ated shall thereupon constitute a part of the
5 court from which he has retired and shall have
6 the same jurisdiction and be subject to the same
7 restrictions therein as before retirement, except
8 that he shall act only in those cases and matters
9 and hold court only at those sessions and times
10 as he may be directed and assigned by the Admin-
11 istrative Court Judge or by the Chief Justice of
12 the Supreme Judicial Court. An Active Retired
13 Judge of the Administrative Court, who performs
14 judicial service at the direction and assignment
15 of the Administrative Court Judge or the Chief
16 Justice of the Supreme Judicial Court, shall be
17 compensated for those services at the rate of \$75
18 a day or \$45 for 1/2 day, provided that the total
19 per day compensation and retirement pension re-
20 ceived by an Active Retired Judge of the Adminis-
21 trative Court in any calendar year may not exceed
22 the annual salary of the Associate Judge of the
23 Administrative Court.

24 STATEMENT OF FACT

25 This bill provides statutory authority for a Re-
26 tired Judge of the Administrative Court to be ap-
27 pointed as an Active Retired Judge of the Administra-
28 tive Court. There is already statutory authority for
29 the appointment of Active Retired Judges in the Su-
30 preme Judicial Court, Superior Court and the District
31 Court. Administrative Court Judges may sit in the
32 District Court or Superior Court by order of the
33 Chief Justice of the Supreme Judicial Court as pro-
34 vided in the Maine Revised Statutes, Title 4, section
35 1158.

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