

MAINE STATE LEGISLATURE

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N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 539

H. P. 947

House of Representatives, February 11, 1943.

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

HARVEY R. PEASE, Clerk.

Presented by Mr Maxwell of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Retirement of Justices of the Supreme Judicial and Superior Courts.

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

R. S., c. 125, § 5, amended. Section 5 of chapter 125 of the revised statutes, as amended, is hereby further amended to read as follows:

‘Sec. 5. Compensation of judges upon retirement. Any justice of the supreme judicial court or of the superior court who, having attained the age of 70 years, and having served as such justice on either or both of said courts for at least 7 consecutive years, resigns his said office or ceases to serve at the expiration of any term thereof, shall receive, whether or not appointed an active retired justice, an amount equal to $\frac{3}{4}$ of the salary which shall by law be payable annually to the justices of said courts **who attain the age of 70 years**, respectively, annually during the remainder of his life, to be paid in the same manner as the salaries of the justices of said courts are paid. The provisions of this section shall apply to **the present and former justices of said courts who have or who shall have attained the age of 70 years**. Provided, however, that such justice ~~shall~~ within ~~one year~~ **2 years** after attaining the age of 70 years and serving as such justice for at least 7 consecutive years **has ceased or shall** cease to serve as such justice. Any justice of the supreme judicial court or superior court who, having attained the age of 70 years and having served as such

justice ~~on~~ of either or both of said courts for at least 7 consecutive years, continues to serve as such justice for more than ~~one year~~ 2 years, shall waive his right to the compensation hereinbefore mentioned and shall make no claim therefor at the close of his term of service as such justice, whether such term of service is ended by resignation or by the expiration of the term for which he is appointed.

Compensation herein provided shall not be made available to any of said justices who after retirement act as attorney or counselor in any action or legal proceeding in which the state is an adverse party or has any interest adverse to the person or persons in whose behalf said justice acts as attorney or counselor; provided, however, that the provisions herein shall apply only to justices appointed subsequent to 90 days after the adjournment of the 90th legislature.'