

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Increase Compensation for Active Retired Judges**

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

**Sec. 1. 4 MRSA §6-B**, as amended by PL 2003, c. 290, §1, is further amended to read:

### **§ 6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial Court**

Any Active Retired Justice of the Supreme Judicial Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, must be compensated for those services at the rate of ~~\$300~~\$500 per day or ~~\$175~~\$250 per 1/2 day, ~~provided that as long as~~ provided that as long as the total per diem compensation ~~and retirement pension~~ received by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed 75% of the annual salary of ~~an~~ an Associate Justice of the Supreme Judicial Court set pursuant to section 4. An Active Retired Justice of the Supreme Judicial Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental and life insurance.

**Sec. 2. 4 MRSA §104-A**, as amended by PL 2001, c. 439, Pt. DDD, §1, is further amended to read:

### **§ 104-A. Per diem compensation for Active Retired Superior Court Justices**

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, is compensated for those services at the rate of ~~\$300~~\$500 per day or ~~\$175~~\$250 per 1/2 day, ~~provided that as long as~~ provided that as long as the total per diem compensation ~~and retirement pension~~ received by an Active Retired Justice of the Superior Court in any calendar year does not exceed 75% of the annual salary of a Justice of the Superior Court set pursuant to section 102. An Active Retired Justice of the Superior Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental and life insurance.

**Sec. 3. 4 MRSA §157-D**, as amended by PL 2001, c. 439, Pt. DDD, §2, is further amended to read:

### **§ 157-D. Active retired judges; compensation**

Any Active Retired Judge of the District Court, who performs judicial service at the direction and assignment of the Chief Judge of the District Court, is compensated for those services at the rate of ~~\$300~~\$500 per day or ~~\$175~~\$250 per 1/2 day, ~~provided that as long as~~ provided that as long as the total per diem compensation ~~and retirement pension~~ received by an Active Retired Judge of the District Court in any calendar year does not exceed 75% of the annual salary of ~~an~~ an Associate Judge of the District Court set pursuant to section

157. An Active Retired Judge of the District Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental and life insurance.

**Sec. 4. 4 MRSA §183, sub-§1, ¶H**, as enacted by PL 2013, c. 159, §6, is amended to read:

H. The Chief Judge of the District Court may employ a retired family law magistrate to serve on a per diem basis as an active retired family law magistrate. An active retired family law magistrate employed pursuant to this paragraph has the same jurisdiction and is subject to the same restrictions as before retirement. An active retired family law magistrate serves at the direction of the Chief Judge of the District Court and is compensated at ~~the~~ a per diem rate of \$250 per day or \$150 per half-day, as long as the total of the per diem compensation and the active retired family law magistrate's state retirement pension received in any calendar year does not exceed the annual salary of a family law magistrate equal to 75% of the per diem rate paid to an Active Retired Judge of the District Court, as provided in section 157-D. The total per diem compensation received by an active retired family law magistrate in any calendar year may not exceed 75% of the annual salary of a full-time family law magistrate set pursuant to paragraph B. An active retired family law magistrate who receives compensation under this paragraph does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental and life insurance. Active retired family law magistrates are entitled to receive reimbursement for any expenses actually and reasonably incurred in the performance of their duties.

## SUMMARY

This bill raises the per diem compensation for active retired judges and justices from \$300 per day to \$500 per day. It fixes the per diem compensation for active retired family law magistrates at 75% of the per diem compensation paid to active retired judges. It also limits per diem compensation received by an active retired judge, justice or family law magistrate in any calendar year to 75% of the annual salary of a full-time judge, justice or family law magistrate, respectively, and provides that an active retired judge, justice or family law magistrate does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental and life insurance.