

127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 1455

S.P. 557

In Senate, July 16, 2015

An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges

(AFTER DEADLINE)

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Reference to the Committee on Judiciary suggested and ordered printed.

Heath & Print

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator BURNS of Washington.

- 1 **Emergency preamble. Whereas,** acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and
- Whereas, Public Law 2015, chapter 267 increased the count and funding for District
 Court judges without amending the statutory count of District Court judges; and
- 5 **Whereas,** the statutory number should be corrected immediately to allow for the 6 nomination and confirmation of the new judges as soon as possible; and

Whereas, in the judgment of the Legislature, these facts create an emergency within
the meaning of the Constitution of Maine and require the following legislation as
immediately necessary for the preservation of the public peace, health and safety; now,
therefore,

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

Sec. 1. 4 MRSA §157, sub-§1, ¶A, as amended by PL 2005, c. 519, Pt. III, §2, is
 further amended to read:

14 The Governor, subject to review by the joint standing committee of the A. Legislature having jurisdiction over judiciary matters and to confirmation by the 15 Legislature, shall appoint to the District Court 36 38 judges. At least one judge must 16 be appointed from each district who is a resident of a county in which the district lies, 17 except that in District 3 there must be 2 judges appointed who are residents of a 18 county in which the district lies; in District 6 there must be 2 judges appointed who 19 are residents of a county in which the district lies; and in District 9 there must be 2 20 judges appointed who are residents of a county in which the district lies. Each 21 District Court Judge has a term of office of 7 years. 22

- 23To be eligible for appointment as a District Judge, a person must be a member of the24bar of the State. The term "District Judge" includes the Chief Judge and Deputy25Chief Judge.
- 26 **Emergency clause.** In view of the emergency cited in the preamble, this 27 legislation takes effect when approved.
- 28 SUMMARY
- This bill corrects the statutory count of District Court judges to match the numberfunded in Public Law 2015, chapter 267.