

# SENATE . . . . . No. 110

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By Mr. Bulger, a petition (accompanied by bill, Senate, No. 110) of William M. Bulger and Joseph B. Walsh for legislation relative to the retirement allowance payment to special justices of district courts, including the Municipal Court of the City of Boston. The Judiciary.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT RELATIVE TO THE RETIREMENT ALLOWANCE PAYMENT TO SPECIAL JUSTICES OF DISTRICT COURTS, INCLUDING THE MUNICIPAL COURT OF THE CITY OF BOSTON.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 32 of the General Laws is hereby  
2 amended by striking out section 65B, as most recently amended  
3 by chapter 333 of the acts of 1969, and inserting in place  
4 thereof the following section:—

5 *Section 65B.* A special justice of a district court, including  
6 the municipal court of the city of Boston, or a special justice  
7 of a juvenile court, who shall be retired under Article LVIII  
8 of the Amendments to the Constitution, or a special justice  
9 thereof sixty-five years of age or over who shall resign his  
10 office, having served as a special justice for at least ten years,  
11 shall be entitled to receive a pension for life at an annual rate  
12 equal to three fourths of his average yearly earnings as special  
13 justice for any three years of service in said office, whether  
14 consecutive or not, for which such earnings were the highest,  
15 but not exceeding in any event an annual rate equal to three  
16 fourths of the highest annual rate of salary of a justice in any  
17 court in which said special justice may have served or, in the  
18 case of the municipal court of the city of Boston, three fourths  
19 of the annual rate of salary of an associate justice of said  
20 court, payable from the same source and in the same manner

21 as the salary of such justice or associate justice, as the case  
22 may be. A special justice of a district court, including the  
23 municipal court of the city of Boston or a special justice of a  
24 juvenile court, who shall be so retired or who shall resign his  
25 office after in either case having served as a special justice for  
26 at least twenty-five years shall be entitled to a pension for life  
27 at an annual rate equal to three fourths of the annual rate of  
28 salary of the justice of his court or, in the case of the muni-  
29 cipal court of the city of Boston, three fourths of the annual  
30 rate of salary of an associate justice of said court, payable  
31 from the same source and in the same manner as the salary of  
32 such justice or associate justice, as the case may be.

33 A special judge of probate and insolvency who shall be re-  
34 tired under Article LVIII of the amendments to the constitu-  
35 tion or a special judge of probate who is sixty-five years of age  
36 or over and shall resign his office after in either case having  
37 served as a special judge of probate for at least ten years  
38 shall be entitled to receive a pension for life at an annual rate  
39 equal to three fourths of his average yearly earnings as special  
40 judge of probate during the period of ten years next preced-  
41 ing December thirty-first of the year nineteen hundred and  
42 fifty-six or at an annual rate equal to three fourths of his  
43 average yearly earnings as such special judge of probate dur-  
44 ing the entire period of his service in said office, whichever is  
45 the higher rate, but not exceeding in any event an annual rate  
46 equal to three fourths of the annual rate of salary of the judge  
47 of probate for the county in which he was appointed.

1 SECTION 2. Section 65C of said chapter 32 is hereby amended  
2 by striking out the eighth paragraph, as amended by section 1  
3 of chapter 30 of the acts of 1969.

1 SECTION 3. This act shall take effect as of November  
2 seventh nineteen hundred and seventy-two.