

SENATE No. 170

To accompany the petition of Andrew P. Quigley for a legislative amendment to the Constitution providing for retirement of judges at age seventy. Constitutional Law.

The Commonwealth of Massachusetts

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

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR RETIREMENT OF JUDGES AT AGE SEVENTY.

1 A majority of all the members elected to the Senate
2 and House of Representatives, in joint session, hereby
3 declares it to be expedient to alter the Constitution
4 by the adoption of the following Article of Amend-
5 ment, to the end that it may become a part of the
6 Constitution [if similarly agreed to in a joint session
7 of the next General Court and approved by the people
8 at the state election next following]:

9 ARTICLE OF AMENDMENT.

10 Article I of chapter III of Part the Second of the
11 Constitution, as most recently amended by Article
12 LVIII of the Amendments to the Constitution, is
13 hereby further amended by striking out the second
14 sentence and inserting in place thereof the following
15 sentence: — All judicial officers, duly appointed, com-
16 missioned and sworn. shall hold their offices during

17 good behavior and until they reach the age of seventy
18 years, excepting such concerning whom there is differ-
19 ent provision made in this constitution; provided,
20 nevertheless, the governor, with consent of the council,
21 may remove them upon the address of both houses of
22 the legislature, and provided, also, that the governor,
23 with the consent of the council, may after due notice
24 and hearing retire them because of mental or physical
25 disability.