

By Mr. Flaherty of Boston, petition of Michael F. Flaherty relative to the payment of compensation of certain retired public employees appointed to the judiciary. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT RELATIVE TO THE PAYMENT OF COMPENSATION OF CERTAIN RETIRED PUBLIC EMPLOYEES APPOINTED TO THE JUDICIARY.

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. Paragraph (a) of section 91 of chapter 32 of the
2 General Laws is hereby amended by striking out the third sentence,
3 as appearing in chapter 676 of the acts of 1968, and inserting in
4 place thereof the following sentence: —

5 Notwithstanding the foregoing provisions of this section or
6 similar provisions of any special law, a person who, while receiving
7 such a pension or retirement allowance, is appointed a judge, or for
8 a term of years to a position by the governor with or without the
9 advice and consent of the council or by the mayor or city manager
10 of any city with or without confirmation by the city council or is
11 elected for a term of years to a position by the city council, or is
12 appointed to a position in a town and serves in such position under
13 the direction of the selectmen thereof, or is appointed, chosen or
14 elected to a position by the general court, shall be paid the compen-
15 sation attached to such position; provided, that he files with the
16 treasurer of the governmental unit paying such pension or allow-
17 ance, a written statement wherein he waives and renounces for
18 himself, his heirs and his legal representatives, his right to receive
19 the same for the period during which such compensation is pay-
20 able.

1 SECTION 2. Paragraph (g) of subdivision (1) of section 5 of
2 said chapter 32, as amended by section 1 of chapter 256 of the acts
3 of 1966, is hereby further amended by inserting after the word
4 "appointed", in line 32, the words: — as a judge, or is appointed.

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