

SENATE No. 1173

By Mr. Webber (by request), a petition (accompanied by proposal, Senate, No. 1173) of Peter J. Bianco for a legislative amendment to the Constitution relative to the election of district court justices, clerks magistrates and probate court justices for a five year term and for recall elections. The Judiciary.

The Commonwealth of Massachusetts

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

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION
RELATIVE TO THE ELECTION OF DISTRICT COURT JUSTICES, CLERK
MAGISTRATES, AND PROBATE COURT JUSTICES FOR A FIVE YEAR TERM
AND FOR RE-CALL ELECTIONS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article IX, Section 1, Chapter 11 of Part of the Second of the Constitution of the Commonwealth of Massachusetts shall be further amended so the article reads:

All judicial officers, except District Court Justices, Clerk Magistrates, Probate Court Justices, the Solicitor-General, Coroners, shall be nominated and appointed by the Governor, by and with the advice and consent of the Council; and every such nomination shall be made by the Governor, and made at least seven days prior to such appointment.

ART. . Article XIX, of the Amendments to the Constitution of the Commonwealth of Massachusetts shall be amended by adding District Court Justices, Clerk Magistrates and Probate Court Justices and providing for a five year term and provision for recall elections. So the article reads:

The legislature shall prescribe, by General Laws, for the election of sheriffs, registers of probate, clerks of the courts, district clerk magistrates and probate court justices by the people of the several districts for a period of five years, and that they be subject to recall by a two thirds vote of the electorate.