

By Mr. Saggese of Winthrop, petition of Alfred E. Saggese, Jr., relative to the pension allowance payable to judges of the Trial Court upon retirement at age sixty-five. Public Service.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE PENSION ALLOWANCE PAYABLE TO JUDGES OF THE TRIAL COURT UPON RETIREMENT AT AGE SIXTY-FIVE.

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

1 Notwithstanding the provisions of section sixty-five A of chap-
2 ter thirty-two of the General Laws or any other law or regulation
3 to the contrary, any justice of any court which, pursuant to section
4 one hundred and ten of chapter four hundred and seventy-eight of
5 the acts of nineteen hundred and seventy-eight, is merged into the
6 trial court as a department thereof who shall retire from or resign
7 his office after having served in any judicial office or offices at least
8 ten years and has attained the age of sixty-five years, shall there-
9 upon, be entitled to receive an annual pension allowance for life at
10 an annual rate equal to three-fourths of the current salary payable
11 to justices of the court or department from which he retired or
12 resigned, less one per cent for each year which would elapse from
13 the date of his retirement or resignation to the date when he would
14 attain the age of seventy years. Such judge may in lieu of the
15 pension allowance provided herein elect to receive a pension for
16 life at a lesser annual rate under the provisions of section sixty-four
17 C of chapter thirty-two of the General Laws.

18 Any such justice who has five or more years of service in any
19 judicial office or offices but less than ten years, and has attained
20 the age of sixty-five, may, upon his retirement or resignation from
21 his office, pay into the retirement system in one payment, an
22 amount, to be determined by the retirement board, that would
23 equal his contributions to the system had he continued to contrib-

24 ute for ten years, upon such payment he shall be entitled to the
25 same retirement benefits provided in paragraph one hereof for
26 those justices with at least ten years of service.

27 For the purpose of determining years of judicial service of a
28 former Special Justice, a year of previous service as a Special
29 Justice shall be computed by dividing the number of days of actual
30 sitting in such capacity by two hundred sixty whether or not such
31 sittings occurred in one calendar or fiscal year.