

# HOUSE . . . . . No. 5330

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 23, 1972.

The committee on the Judiciary, to whom was referred the petition (accompanied by bill, Senate, No. 520) of Denis L. McKenna, Cornelius F. Kiernan and Joseph D. Ward for legislation relative to the retirement allowance payable to special justices of district courts, including the Municipal Court of the City of Boston, report recommending that the accompanying bill (House, No. 5330) ought to pass.

For the committee,

CORNELIUS F. KIERNAN

**The Commonwealth of Massachusetts**

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

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

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

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