

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying proposal for constitutional amendment:

Proposal for a legislative amendment to the Constitution relative to retirement of judges.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>3/4/2015</i>

HOUSE No.

By Mr. Markey of Dartmouth, a petition (subject to Joint Rule 12) of Christopher M. Markey for a legislative amendment to the Constitution relative to the retirement of judges. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

Proposal for a legislative amendment to the Constitution relative to retirement of judges.

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.

1 Article 1 of Chapter 111 of the Part the Second, as amended by Article XCVIII
2 of the Amendments to the Constitution, is hereby annulled and the following article is adopted in
3 place thereof:-

4 ARTICLE I. The tenure that all commissioned officers shall by law have in their offices
5 shall be expressed in their respective commissions. All judicial officers, duly appointed,
6 commissioned and sworn, shall hold their offices during good behavior, excepting such
7 concerning whom there is different provision made in this Constitution; provided, nevertheless,
8 the governor, with the consent of the council, may remove them upon the address of both houses
9 of the legislature; and provided, also, that the governor, with the consent of the council, may
10 after due notice and hearing retire them because of advanced age or mental or physical disability;

11 and provided further, that commencing on July first, two thousand eighteen, upon attaining
12 seventy-six years of age said judges shall be retired. Such retirement shall be subject to any
13 provisions made by law as to pensions or allowances payable to such officers upon their
14 voluntary retirement.