



CAMBRIDGE RETIREMENT BOARD

795 MASSACHUSETTS AVENUE, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4114

Joseph E. Connarton
Chairman

James A. Lindstrom
Ex-Officio

Sheila M. Tobin
Elected Member

Anne C. Leduc
Executive Director

May 1, 1996

The Honorable, The City Council
Cambridge City Hall
Cambridge, MA 02139

Dear City Councilors:

Attempting to clarify any issues which may arise from the signing of Chapter 71 of the Acts of 1996, the same being "AN ACT AUTHORIZING CERTAIN PUBLIC EMPLOYEES CREDITABLE RETIREMENT SERVICE TIME FOR ACTIVE SERVICE IN THE ARMED FORCES", the Cambridge Retirement Board wishes to make known the following:

1. Given the fact that the Governor has not signed an emergency preamble to this bill, as of the date of this letter, this bill will not become effective until ninety days after his signature which would be July 24, 1996.

2. The bill in its current form requires two votes: first by a majority of the members of the local retirement board and a subsequent vote by a majority of the members of the local legislative body. Upon the completion of those two votes then by filing a certification to the Public Employee Retirement Administration (PERA).

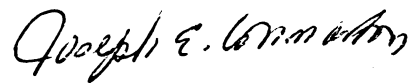
3. Once this process has been completed the retirement board will notify all known vested (10 years of creditable service in a retirement system) Veterans/Employees/Members of the acceptance of this legislation and those eligible members must apply to the Cambridge Retirement Board to purchase this service within one hundred and eighty (180) days of the acceptance of this act by the local legislative body/the Cambridge City Council.

RECEIVED BY
OFFICE OF CITY CLERK
96 MAY -2 AM 10:13
CAMBRIDGE, MA.

Finally, as of the date of this letter, there is a possibility that the Legislature is contemplating filing clarifying legislation to further define some of the terms which appear to be ambiguous and subject to various interpretations.

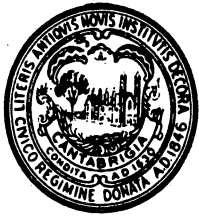
The Board hopes you will find this information beneficial and if you have any questions please feel free to contact Anne C. Leduc, Executive Director.

Sincerely,

A handwritten signature in cursive script, reading "Joseph E. Connarton".

Joseph E. Connarton
Chairman

cc Robert W. Healy, City Manager



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Sincerely,

A handwritten signature in cursive script, reading "Joseph E. Connarton".

Joseph E. Connarton
Chairman

cc: Robert W. Healy, City Manager

Comm. & Rpts. City Officers #1

A letter from Joseph Connarton,
clarifying issues which may arise
from the signing of Chapter 71
of the Acts of 1996, "An Act
Authorizing Certain Public Employees
Creditable Retirement Service
Time for Active Service in the
Armed Forces."

In City Council May 6, 1996

*Referred to Charter Right
#2*



City of Cambridge

14.

Calendar Item #2

IN CITY COUNCIL

~~April 29, 1996~~

May 6, 1996

COUNCILLOR TOOMEY
VICE MAYOR BORN
COUNCILLOR GALLUCCIO
MAYOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TRIANTAFILLOU

WHEREAS: On Thursday, April 25, 1996, Governor Weld signed into law House Bill 5925, an Act Authorizing That Certain Public Employees Creditable Retirement Service Time For Active Service in the Armed Forces, which is attached; now therefore be it

ORDERED: That the City Council accepts the provisions of this particular legislation, in accordance with the provisions of this Act.

In City Council May 6, 1996

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill authorizing certain public employees creditable retirement service time for active service in the armed forces (Senate, No. 1999). April 10, 1996.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Six.

Striking out all after the enacting clause and inserting in place thereof the following:

1 "SECTION 1. Paragraph (g) of subdivision (2) of section 3 of
2 chapter 32 of the General Laws is hereby amended by striking out
3 *Group 4*, as amended by section 52 of chapter 38 of the acts of
4 1995, and inserting in place thereof the following:—
5 *Group 4.* — Division of law enforcement of the department of
6 fisheries, wildlife and recreational vehicles; conservation officer
7 of the city of Haverhill having duties similar to a law enforcement
8 officer of the department of fisheries, wildlife and recreational
9 vehicles; employees of the Massachusetts Port Authority at the
10 General Edward Lawrence Logan International Airport, com-
11 prising permanent crash crewmen, fire control men, assistant fire
12 control men; members of police and fire departments not classi-
13 fied in *Group 1*; any police officer of the Massachusetts Bay
14 Transportation Authority; employees whose regular compensation
15 is paid by the United States from funds allocated to the Massachu-
16 setts National Guard and who are regularly and permanently
17 employed under the control of the military department of the com-
18 monwealth and whose duties in such employment require substan-
19 tially all normal working hours and whose continued employment
20 is based upon federal recognition in the Massachusetts National
21 Guard; employees of a municipal gas or electric generating or dis-
22 tribution plant who are employed as linemen, electric switchboard
23 operators, electric maintenance men, steam engineers, boiler oper-
24 ators, firemen, oilers, mechanical maintenance men, and supervi-
25 sors of said employees who shall include managers and assistant

26 managers; employees of the Massachusetts Port Authority who are
27 employed as licensed electricians, utility technicians, steam engi-
28 neers, watch engineers, boiler operators, or steam firemen, and
29 supervisors of said employees, at an electrical generating or distri-
30 bution plant; employees of the department of correction who are
31 employed at any correctional institution or prison camp under the
32 control of said department and who hold the position of correction
33 officer, female correction officer, industrial instructor, recreation
34 officer, assistant industrial shop manager, industrial shop manager,
35 assistant to the supervisor of industries, supervisor of industries,
36 senior correction officer, senior female correction officer, super-
37 vising correction officer, supervising female correction officer,
38 prison camp officer, senior prison camp officer, supervising prison
39 camp officer, assistant deputy superintendent; employees of the
40 parole board who hold the position of parole officer or parole
41 supervisor; chief of security for the University of Massachusetts
42 medical school or supervising identification agent; employees who
43 hold the position of state hospital steward in the department of
44 correction; the sheriff, superintendent, assistant superintendent,
45 assistant deputy superintendent and correction officers of county
46 correctional facilities; district attorneys; assistant district attorneys
47 who have been employed in such capacity for ten years or more;
48 and the chief fire warden and district fire wardens in the executive
49 office of environmental affairs.

1 SECTION 2. Paragraph (h) of subdivision (1) of section 4 of
2 said chapter 32, as appearing in the 1994 Official Edition, is
3 hereby amended by adding the following paragraph:—

4 Notwithstanding any provision of this chapter, or any other gen-
5 eral or special law, rule or regulation to the contrary, a member in
6 service of a retirement system as defined in section one who is a
7 veteran who served in the armed forces of the United States and
8 who has completed ten or more years of membership service shall
9 be entitled to credit for active service in the armed services of the
10 United States; provided, however, that such active service shall
11 not be credited until such member has paid into the annuity savings
12 fund of such system, in one sum or in installments, upon such
13 terms and conditions as the board may prescribe, makeup pay-
14 ments of an amount equal to the ten percent of the regular annual

15 compensation of the member when said member entered the
16 retirement system; and, provided further that such creditable
17 service shall not be construed to include service for more than
18 four years provided further, that such creditable service shall not
19 be allowed for any period of active service for which said veteran
20 has received credit pursuant to paragraph (h) of subsection (1) of
21 section 4 of chapter thirty-two of the General Laws or for which
22 said veteran receives a federal military pension. This act shall
23 apply to Massachusetts National Guard and Active Reserve per-
24 sonnel, both former and present. Creditable service time, both
25 enlisted and commissioned may be applied toward retirement on a
26 ratio of five years guard service or five years active reserve
27 service substitutable for each year of active service.

1 SECTION 3. For the retirement system of any political subdi-
2 vision, the provisions of this act shall take effect on the effective
3 date of this act by majority vote of the board of such system and
4 by the local legislative body. For the purposes of this paragraph,
5 local legislative body shall mean a town meeting for a town
6 system, the city council subject to the provisions of its charter for
7 a city system, the county commissioners for a county system, the
8 district members for a district system and the governing body of
9 an authority for an authority system. Acceptance shall be deemed
10 to have occurred upon the filing of a certification of such vote
11 with the commissioner.

12 Members in service of a retirement system eligible for said
13 creditable service under this act shall make application for said
14 creditable service within one hundred and eighty days of being
15 notified by the retirement board of their eligibility after becoming
16 vested in the retirement system, or for currently eligible members,
17 within one hundred and eighty days of the acceptance of this act
18 by the local legislative body.

19 Terms used in this act shall have the same meaning as those
20 terms defined in section one of chapter thirty-two of the General
21 Laws.



City of Cambridge

14.

IN CITY COUNCIL

April 29, 1996

COUNCILLOR TOOMEY
VICE MAYOR BORN
COUNCILLOR GALLUCCIO
MAYOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TRIANTAFILLOU

WHEREAS: On Thursday, April 25, 1996, Governor Weld signed into law House Bill 5925, an Act Authorizing That Certain Public Employees Creditable Retirement Service Time For Active Service in the Armed Forces, which is attached; now therefore be it

ORDERED: That the City Council accepts the provisions of this particular legislation, in accordance with the provisions of this Act.

CHARTER RIGHT WAS EXERCISED BY COUNCILLOR DAVIS.

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill authorizing certain public employees creditable retirement service time for active service in the armed forces (Senate, No. 1999). April 10, 1996.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Six.

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6 fisheries, wildlife and recreational vehicles; conservation officer
7 of the city of Haverhill having duties similar to a law enforcement
8 officer of the department of fisheries, wildlife and recreational
9 vehicles; employees of the Massachusetts Port Authority at the
10 General Edward Lawrence Logan International Airport, com-
11 prising permanent crash crewmen, fire control men, assistant fire
12 control men; members of police and fire departments not classi-
13 fied in *Group 1*; any police officer of the Massachusetts Bay
14 Transportation Authority; employees whose regular compensation
15 is paid by the United States from funds allocated to the Massachu-
16 setts National Guard and who are regularly and permanently
17 employed under the control of the military department of the com-
18 monwealth and whose duties in such employment require substan-
19 tially all normal working hours and whose continued employment
20 is based upon federal recognition in the Massachusetts National
21 Guard; employees of a municipal gas or electric generating or dis-
22 tribution plant who are employed as linemen, electric switchboard
23 operators, electric maintenance men, steam engineers, boiler oper-
24 ators, firemen, oilers, mechanical maintenance men, and supervi-
25 sors of said employees who shall include managers and assistant

26 managers; employees of the Massachusetts Port Authority who are
27 employed as licensed electricians, utility technicians, steam engi-
28 neers, watch engineers, boiler operators, or steam firemen, and
29 supervisors of said employees, at an electrical generating or distri-
30 bution plant; employees of the department of correction who are
31 employed at any correctional institution or prison camp under the
32 control of said department and who hold the position of correction
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36 senior correction officer, senior female correction officer, super-
37 vising correction officer, supervising female correction officer,
38 prison camp officer, senior prison camp officer, supervising prison
39 camp officer, assistant deputy superintendent; employees of the
40 parole board who hold the position of parole officer or parole
41 supervisor; chief of security for the University of Massachusetts
42 medical school or supervising identification agent; employees who
43 hold the position of state hospital steward in the department of
44 correction; the sheriff, superintendent, assistant superintendent,
45 assistant deputy superintendent and correction officers of county
46 correctional facilities; district attorneys; assistant district attorneys
47 who have been employed in such capacity for ten years or more;
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49 office of environmental affairs.

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5 eral or special law, rule or regulation to the contrary, a member in
6 service of a retirement system as defined in section one who is a
7 veteran who served in the armed forces of the United States and
8 who has completed ten or more years of membership service shall
9 be entitled to credit for active service in the armed services of the
10 United States; provided, however, that such active service shall
11 not be credited until such member has paid into the annuity savings
12 fund of such system, in one sum or in installments, upon such
13 terms and conditions as the board may prescribe, makeup pay-
14 ments of an amount equal to the ten percent of the regular annual

15 compensation of the member when said member entered the
16 retirement system; and, provided further that such creditable
17 service shall not be construed to include service for more than
18 four years provided further, that such creditable service shall not
19 be allowed for any period of active service for which said veteran
20 has received credit pursuant to paragraph (h) of subsection (1) of
21 section 4 of chapter thirty-two of the General Laws or for which
22 said veteran receives a federal military pension. This act shall
23 apply to Massachusetts National Guard and Active Reserve per-
24 sonnel, both former and present. Creditable service time, both
25 enlisted and commissioned may be applied toward retirement on a
26 ratio of five years guard service or five years active reserve
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3 date of this act by majority vote of the board of such system and
4 by the local legislative body. For the purposes of this paragraph,
5 local legislative body shall mean a town meeting for a town
6 system, the city council subject to the provisions of its charter for
7 a city system, the county commissioners for a county system, the
8 district members for a district system and the governing body of
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14 creditable service within one hundred and eighty days of being
15 notified by the retirement board of their eligibility after becoming
16 vested in the retirement system, or for currently eligible members,
17 within one hundred and eighty days of the acceptance of this act
18 by the local legislative body.

19 Terms used in this act shall have the same meaning as those
20 terms defined in section one of chapter thirty-two of the General
21 Laws.

April 29, 1996

COUNCILLOR TOOMEY

ORDERED: That the City Council recommend that the City of Cambridge accept the provisions of Chapter _____ of the Acts of 1996 which authorizes that certain public employee be credited retirement service time for active service in the armed services.

Whereas:

On Thursday April 25, 1996 Governor Weld signed into law House Bill 5925, AN ACT Which Authorizes That Certain Public Employees Be credited Retirement Service Time For Active Service IN The Armed Services, ^{which is attached.} NOW
Therefore be it

Ordered:

That the City Council accepts the provisions of this particular legislation in accordance with the provisions of this Act,

14. Donna Lopez

COUNCILOR TOOMEY

WHEREAS: On Thursday, April 25, 1996, Governor Weld signed into law House bill 5925, "An Act Authorizing Certain Public Employees Creditable Retirement Service Time For Active Service In The Armed Forces" now therefore be it

ORDERED: That the City Council accept the provisions of this particular legislation, in accordance with the provisions of the act.

11:50~~h~~

14

Councillor Toomey

Ordered

That The City Council recommends that

The City of Cambridge accept the provisions

↓ will fill in later

of Chapter _____ of the Acts of

1996 which authorizes that certain public
employee be credited retirement service time
for active service in the armed service

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill authorizing certain public employees creditable retirement service time for active service in the armed forces (Senate, No. 1999). April 10, 1996.

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In the Year One Thousand Nine Hundred and Ninety-Six.

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41 supervisor; chief of security for the University of Massachusetts
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45 assistant deputy superintendent and correction officers of county
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City of Cambridge

14.

IN CITY COUNCIL

April 29, 1996

COUNCILLOR TOOMEY

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ORDERED: That the City Council accepts the provisions of this particular legislation, in accordance with the provisions of this Act.

Born, Galluccio, Russell, Sullivan
Consent Order #14 Triantafyllou *Col. 2*

Councillor Toomey re: Support
House Bill 5925, an Act Authorizing
that Certain Public Employees be
Credited Retirement Service Time for
Active service in the Armed Forces.

S-245

5/6/96

Order Adopted.

In City Council April 29, 1996

Charter right was
exercised by Councillor
Davis.