

CAMBRIDGE, CITY OF—CITY MANAGER— COMPENSATION LIMITATION

CHAPTER 22.

An Act removing the limitation of the maximum compensation paid to the city manager of the city of Cambridge.

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

Section 1. Chapter five hundred and sixty-eight of the acts of nineteen hundred and sixty-eight is hereby repealed.

Section 2. Notwithstanding the provisions of section one hundred and three of chapter forty-three of the General Laws, the city council of the city of Cambridge may establish by ordinance the compensation to be paid to the city manager of said city.

Section 3. This act shall take effect upon its passage.

Approved February 17, 1972.

MALDEN, CITY OF—SCHOOL CUSTODIANS— OVERTIME PAY

CHAPTER 23.

An Act authorizing the city of Malden to pay certain school custodians a certain sum of money for overtime work.

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

The city of Malden is hereby authorized to appropriate and pay to certain custodians in the school department of said city, the sum of one thousand nine hundred twenty-seven dollars and fifty-six cents for overtime work performed between the period of September first, nineteen hundred and seventy, to and through December thirty-first, nineteen hundred and seventy.

Approved February 17, 1972.

BANKS—EXAMINATION REPORTS

CHAPTER 24.

An Act relative to examination reports of banks supervised by the commissioner of banks.

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

The third paragraph of section 2 of chapter 167 of the General Laws, as amended by chapter 428 of the acts of 1950, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:

There may be furnished to the chief national bank examiner, the Federal Reserve Bank of Boston, the Federal Deposit Insurance Corporation, the Massachusetts



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 876-6800

LAW DEPARTMENT

EDWARD D. MCCARTHY
ACTING CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

CHARLES WATSON
LEGISLATIVE AGENT

April 12, 1974

Mr. Paul E. Healy
City Clerk
City Hall
Cambridge, Massachusetts

Dear Mr. Healy:

You have requested my opinion as to the legality of the action by the new City Manager withdrawing the name of a person submitted to the City Council for confirmation of his appointment.

In the rare case where the City Manager is required to submit an appointment for confirmation, that appointment has no legal effect until such time as the Council votes to confirm.

The appointment not being accomplished, it is my opinion that the City Manager may withdraw names submitted to the City Council at any time prior to the vote of confirmation.

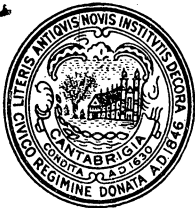
Very truly yours,

Edward D. McCarthy
City Solicitor

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cc: Mr. James L. Sullivan
City Manager

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CHARLES WATSON
LEGISLATIVE AGENT

February 15, 1974

To the Honorable City Council
City Hall
Cambridge, Massachusetts

Dear Councillors:

You have requested me to render my advice and legal opinion relative to the procedures which the City Council must follow prior to passing an ordinance which would increase the salary of the City Manager to \$45,000.00.

Chapter 22 of the Acts of 1972 (copies of which I have enclosed) removes the limitation of the maximum compensation paid to the City Manager of the City of Cambridge.

General Laws, Chapter 44, Section 33A specifies the requirements and procedures necessary to effect such a salary increase. The pertinent provision of Section 33A states:

Notwithstanding any contrary provision of any City Charter, no ordinance providing for an increase in the salaries or wages of municipal officers or employees shall be enacted except by a two-thirds vote of the City Council...

Very truly yours,

Edward D. McCarthy
Acting City Solicitor

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Enc.

Comm. from the City Clerk transmitting
an opinion of the City Solicitor re: to
requirements to increase salary of the
City Manager.

In City Council,

February 25, 1974