

**Chap. 354.** AN ACT RELATIVE TO THE DESIGNATION OF MANAGERIAL EMPLOYEES UNDER THE LAW REGULATING COLLECTIVE BARGAINING BY PUBLIC EMPLOYEES.

*Be it enacted, etc., as follows:*

The definition of "Employee" or "public employee" in section 1 of chapter 150E of the General Laws, as appearing in section 2 of chapter 1078 of the acts of 1973, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:— Employees shall be designated as managerial employees only if they (a) participate to a substantial degree in formulating or determining policy, or (b) assist to a substantial degree in the preparation for or the conduct of collective bargaining on behalf of a public employer, or (c) have a substantial responsibility involving the exercise of independent judgment of an appellate responsibility not initially in effect in the administration of a collective bargaining agreement or in personnel administration.

*(This Bill, returned by the Governor, to the Senate, the branch in which it originated, with his objections thereto, was passed by the Senate, June 4, 1974, and, in concurrence, by the House of Representatives, June 11, 1974, the objections of the Governor notwithstanding, in the manner prescribed by the Constitution; and thereby has "the force of a law".)*

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**Chap. 355.** AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO PAY CERTAIN UNPAID BILLS.

*Be it enacted, etc., as follows:*

SECTION 1. Notwithstanding any contrary provision of law, the county commissioners of Hampden county are hereby authorized to pay, from any available funds, and the treasurer of said county shall pay to The M. J. O'Malley Company a sum not to exceed fifteen thousand four hundred and forty-six dollars and twenty-five cents, to Pynchon Press Co., Inc. a sum not to exceed seven hundred and eighty-two dollars and sixty-five cents, and to The Collins Electric Company, Inc. a sum not to exceed two thousand six hundred dollars.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by said county treasurer under authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the goods and services for which said bill was submitted were ordered by an official or an employee of said county and that such goods were delivered and actually received by said county or that such services were rendered to said county, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives

payment for goods or services which were not received by or rendered to said county shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

SECTION 4. This act shall take effect upon its passage.

*Approved June 13, 1974.*

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**Chap. 356.** AN ACT FURTHER REGULATING THE LENGTH OF MEALTIME PERIODS FOR CERTAIN EMPLOYEES.

*Be it enacted, etc., as follows:*

Chapter 149 of the General Laws is hereby amended by striking out section 100, as most recently amended by chapter 323 of the acts of 1968, and inserting in place thereof the following section:—

*Section 100.* No person shall be required to work for more than six hours during a calendar day without an interval of at least thirty minutes for a meal. Any employer, superintendent, overseer or agent who violates this section shall be punished by a fine of not less than fifty nor more than one hundred dollars.

*Approved June 13, 1974.*

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**Chap. 357.** AN ACT PROVIDING THAT JOSEPH FRECHETTE SHALL BE ELIGIBLE FOR APPOINTMENT AS A POLICE OFFICER IN THE CITY OF NEWTON.

*Be it enacted, etc., as follows:*

The division of civil service shall certify for appointment and the appointing authority of the city of Newton may appoint Joseph Frechette to the police force in said city, notwithstanding the fact that he fails to meet the height requirement for said position, provided he passes all other physical requirements.

*Approved June 13, 1974.*

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**Chap. 358.** AN ACT FURTHER REGULATING THE REQUIREMENTS OF DIVORCE DECREES ON THE GROUND OF DESERTION.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 208 of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 740 of the acts of 1973, and inserting in place thereof the following section:—

*Section 1.* A divorce from the bond of matrimony may be decreed for adultery, impotency, utter desertion continued for one year next prior to the filing of the libel, gross and confirmed habits of intoxication caused by the voluntary and excessive use of intoxicat-