

HOUSE No. 1288

By Mr. Flanagan of Malden, petition of the Massachusetts State Employees Association relative to department heads interpreting the collective bargaining law for state employees without requesting opinions of the Attorney General. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT RELATIVE TO DEPARTMENT HEADS INTERPRETING THE COLLECTIVE BARGAINING LAW FOR STATE EMPLOYEES WITHOUT REQUESTING OPINIONS OF THE ATTORNEY GENERAL.

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 178F of chapter 149 of the General Laws is hereby
- 2 amended by adding at the end of said section the following
- 3 additional paragraph:—
- 4 (12) No department or agency head shall change a per-
- 5 sonnel practice which existed under the statutes and rules and
- 6 regulations of the commonwealth prior to the adoption of
- 7 this section without first requesting an opinion of the
- 8 attorney general as to the legality of the proposed change. No
- 9 department or agency head shall give an interpretation of a
- 10 doubtful legal question under this section without first re-
- 11 questing an opinion of the attorney general on the question.

By Mr. Speaker of the House of Representatives, the following report of the Committee on the Judiciary, in relation to the bill for the purpose of amending the laws of the District of Columbia, relative to the appointment of a judge of the District Court, is respectfully submitted.

The Constitution of the United States

In the Year One Thousand Nine Hundred and Sixteen.

AND THE RELATIVE TO DETACHMENT FROM THE OFFICE OF THE JUDGE OF THE DISTRICT COURT, AND THE OFFICE OF THE CLERK OF THE DISTRICT COURT, AND THE OFFICE OF THE DEPUTY CLERK OF THE DISTRICT COURT.

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

1. Section 178E of chapter 141 of the District Laws is hereby amended by adding at the end of said section the following additional paragraph:—
2. (17) The department or agency head shall manage a post.
3. Section 178F of chapter 141 of the District Laws is hereby amended by adding at the end of said section the following additional paragraph:—
4. The section without first requesting an opinion of the Attorney General as to the legality of the proposed change. No department or agency head shall give an interpretation of a doubtful legal question under this section without first requesting an opinion of the Attorney General on the question.