
By Mr. Kennedy of Everett, petition of John P. Kennedy and another that the Department of Public Health be authorized to adopt rules and regulations for the protection of health, safety, comfort and convenience. Public Health.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT RELATIVE TO ADOPTION OF RULES AND REGULATIONS BY THE DEPARTMENT OF PUBLIC HEALTH FOR THE PROTECTION OF HEALTH, SAFETY, COMFORT AND CONVENIENCE.

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

1 Chapter 111 of the General Laws is hereby amended by in-
2 serting after section 5D the following section: —

3 *Section 5E.* The department may, after a public hearing,
4 adopt and from time to time amend rules and regulations for the
5 protection and improvement of the public health in matters
6 and areas of general concern throughout the commonwealth;
7 in matters which require action across municipal or county
8 jurisdictions; and in matters of a technical or professional
9 nature where local boards of health, acting under their own
10 authority, or under authority of the state sanitary code, would
11 not have the facilities, personnel, or general competence for
12 proper action in the public interest. Nothing contained in the
13 rules and regulations shall be in conflict with any general or
14 special law. This section shall not be deemed to limit the right
15 of any board of health, board of water commissioners, or other
16 appropriate board or commission to adopt such rules and regula-
17 tions as, in its opinion, may be necessary for the particular
18 locality under its jurisdiction; provided, such rules and regula-
19 tions do not conflict with the laws of the commonwealth or the
20 provisions of the department's rules and regulations.

