

SENATE No. 507

The Commonwealth of Massachusetts

SENATE, May 9, 1946.

The committee on Ways and Means, to whom was committed the Senate Bill providing for the establishment of a commission to make continuous study and investigation of all factors relating to the problem of drunkenness in Massachusetts (Senate, No. 387), report recommending that the same ought to pass — with an amendment substituting a new draft entitled “An Act establishing a commission to make a continuous study and investigation of all factors relating to drunkenness within the Commonwealth, and setting forth its powers and duties” (Senate, No. 507).

For the committee,

JOSEPH F. MONTMINY.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A COMMISSION TO MAKE A CONTINUOUS STUDY AND INVESTIGATION OF ALL FACTORS RELATING TO DRUNKENNESS WITHIN THE COMMONWEALTH, AND SETTING FORTH ITS POWERS AND DUTIES.

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 one hundred and twenty-three of the
2 General Laws, as amended, is hereby further amended
3 by adding after section one hundred and twenty-four,
4 as appearing in the Tercentenary Edition, under the
5 heading COMMISSION TO MAKE CONTINUOUS STUDY AND
6 INVESTIGATION OF ALL FACTORS RELATING TO DRUNK-
7 ENNESS WITHIN THE COMMONWEALTH, the following
8 section:— *Section 125.* There shall be in the de-
9 partment, but in no manner under the control of the
10 department or of the commissioner, a commission
11 for the continuous study and investigation of the
12 problem of drunkenness within the commonwealth
13 and all matters relating thereto. Said commission
14 shall consist of the chief justice of the municipal
15 court of the city of Boston or some other justice or
16 former justice of that court or any other district
17 court appointed from time to time by him, the com-
18 missioner of mental health or some other member

19 or former member of the department of mental
20 health appointed from time to time by him, the
21 commissioner of public health or some other mem-
22 ber of former member of the department of public
23 health appointed from time to time by him, the
24 commissioner of education or some other member or
25 former member of the department of education ap-
26 pointed from time to time by him, the commissioner
27 of correction or some other member or former mem-
28 ber of the department of correction appointed from
29 time to time by him, the commissioner of probation
30 or some other member or former member of the board
31 of probation appointed from time to time by him, the
32 commissioner of public welfare or some other member
33 or former member of the department of public welfare
34 appointed from time to time by him, the chairman of
35 the state parole board or some other member or
36 former member of the state parole board appointed
37 from time to time by him, the president of the Massa-
38 chusetts medical association or some other member of
39 said association appointed from time to time by him,
40 the president of the Massachusetts hospital associa-
41 tion or some other member of said association ap-
42 pointed from time to time by him, and one judge of
43 probate and insolvency, all ex officio, and not more
44 than four other persons to be appointed by the gov-
45 ernor with the advice and consent of the council,
46 two of whom shall be members of the bar. The terms
47 of the office of the appointed members shall be for
48 such periods, not exceeding four years, as the gover-
49 nor shall determine.

50 Said commission may hold hearings, shall be pro-
51 vided with quarters in the state house or elsewhere,
52 and, for the purposes hereinbefore referred to, shall

53 have access to the records and files of the various
54 departments, boards and commissions of the com-
55 monwealth.

56 Said commission shall report annually to the gen-
57 eral court its findings and recommendations, if any,
58 together with drafts of legislation necessary to carry
59 such recommendations into effect, by filing the same
60 with the clerk of the house of representatives on or
61 before the first Wednesday in December of each year,
62 and at the same time shall file a copy thereof with the
63 governor.

64 No member of the commission shall receive any
65 compensation for his services, but said commission
66 and the several members thereof shall be allowed
67 from the state treasury, out of any appropriation
68 made for the purpose, such expenses for clerical and
69 other services, travel and incidentals as the governor
70 and council shall approve. Persons employed by the
71 commissioner shall be exempt from the provisions of
72 chapter thirty-one and rules made under authority
73 thereof; provided, that if a person at the time of
74 his employment by said commission is under civil
75 service he shall continue subject to said chapter and
76 rules.