

HOUSE No. 2881

Substituted by the House, on motion of Mr. Farrell of Worcester, for a bill with the same title (House, No. 2852) and passed by the House to be engrossed. May 19.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Nine.

AN ACT ABOLISHING THE OFFICE OF COMMISSIONER ON ALCOHOLISM AND TRANSFERRING THE POWERS AND DUTIES FORMERLY EXERCISED BY SAID COMMISSIONER TO THE DEPARTMENT OF PUBLIC HEALTH.

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 1. Section 17 of chapter 6 of the General Laws is
2 hereby amended by striking out, in lines 11 and 12, as appear-
3 ing in section 1 of chapter 623 of the acts of 1958, the words
4 “, commissioner on alcoholism.”

1 SECTION 2. Sections ninety-four, ninety-five and ninety-six
2 of said chapter six are hereby repealed, and the heading pre-
3 ceding said section ninety-four is hereby stricken out.

1 SECTION 3. Chapter 111 of the General Laws is hereby
2 amended by inserting after section 4C the following section:—
3 *Section 4D.* There shall be an advisory council on alcoholism,
4 consisting of the commissioners of education, public health,
5 public welfare, mental health, public safety, and correction, the
6 chairman of the parole board, the commissioner of probation,
7 the registrar of motor vehicles, the commissioner of rehabilita-
8 tion, the chairman of the youth service board, and three mem-
9 bers appointed by the governor for terms of three years each.
10 Such appointive members shall have had experience in some
11 field connected with the care and treatment of alcoholics. The
12 commissioner of public health shall serve as chairman.

13 The advisory council shall meet at least twice a year, and
14 shall meet at any time upon call of the commissioner of public
15 health. It shall consider and make recommendations to the
16 commissioner of public health as to the care and treatment of
17 alcoholics and as to the assembling and dissemination of knowl-
18 edge regarding the problem of alcoholism. For services on the
19 council, its members shall receive no compensation, but they
20 shall receive their expenses necessarily incurred in rendering
21 such service.

1 SECTION 4. Said chapter 111 is hereby amended by striking
2 out section 4A, as most recently amended by section 3 of chapter
3 715 of the acts of 1956, and inserting in place thereof the fol-
4 lowing section:—

5 *Section 4A.* The department of public health is hereby au-
6 thorized and directed: 1. To establish treatment programs for
7 the diagnosis, treatment and rehabilitation of persons addicted
8 to the excessive use of alcoholic beverages; 2. To study the
9 problems of alcoholism; and 3. To develop and promote pre-
10 ventive and educational programs relating thereto.

11 The department shall also seek to co-ordinate the work of all
12 departments and agencies dealing with the care and treatment
13 of alcoholics or with the problems of alcoholism; shall receive
14 annually, and from time to time, reports from all such depart-
15 ments and agencies dealing with the care and treatment of
16 alcoholics or with problems of alcoholism; shall make a con-
17 tinuous study of methods for treating alcoholism and of other
18 factors relating to the problem of alcoholism in the common-
19 wealth; shall prepare, in co-operation with the department of
20 education, materials for use in the schools and in the teachers
21 colleges relative to the problem of alcoholism and the use of
22 alcohol as a beverage; shall, together with the commissioner of
23 the department responsible for their maintenance, inspect all
24 public facilities for the treatment of alcoholics and make recom-
25 mendations to the departments; shall consult with the commis-
26 sioner of any department concerning the establishment of new
27 facilities for the care and treatment of alcoholics; and shall re-
28 port annually to the governor and to the general court its find-
29 ings and recommendations. The department may require of
30 any department, commission, board or officer of the common-
31 wealth which has information in relation to the problems of

32 alcoholism such information as may be helpful to the depart-
33 ment in carrying out the purposes of this section. The depart-
34 ment may negotiate with the commissioners of any county
35 except Suffolk and with the penal institutions commissioner of
36 Boston regarding the establishment of treatment facilities at
37 jails and houses of correction.

38 A department representative shall meet at least ten times a
39 year with representatives designated by the commissioners of
40 mental health, public welfare, correction and rehabilitation to
41 review the programs being carried on for the treatment of alco-
42 holics in their respective departments.

43 The commissioner, with the approval of the public health
44 council, may appoint a director of the alcoholism program de-
45 scribed in this act.

46 The director may work in conjunction with any foundation or
47 scientific organization in any program designed to develop in-
48 formation relative to the care, study and treatment of alcoholics
49 and alcoholism.

1 SECTION 5. Any person employed on a full-time basis by the
2 commissioner of alcoholism prior to the effective date of this
3 act shall be transferred to the department of public health with-
4 out reduction in salary, impairment of status or loss of seniority,
5 retirement, civil service, veteran or other rights.

6 The incumbent of the office of commissioner of alcoholism
7 immediately prior to the effective date of this act shall be em-
8 ployed in the department of public health in the capacity of a
9 special assistant to the commissioner of public health and may
10 supervise the program of alcoholism and such other duties as
11 the commissioner of public health shall prescribe, until such
12 time as the director of civil service shall fill the position by an
13 open competitive examination.

1 SECTION 6. Funds available for expenditure by the commis-
2 sioner on alcoholism shall be available on the effective date of
3 this act for expenditure by the department of public health for
4 the purposes of this act.

1 SECTION 7. The three appointive members of the advisory
2 council on alcoholism, established under section ninety-five of
3 chapter seven hundred and fifteen of the acts of nineteen hun-

4 dred and fifty-six, shall continue to serve in said office until the
5 expiration of their terms and upon the expiration of any such
6 term his successor shall be appointed for a term of three years,
7 as provided by section four of chapter one hundred and eleven
8 of the General Laws, inserted by section three of this act.

1 SECTION 8. The department may solicit and shall accept in
2 the name of the commonwealth for use in relation to the prob-
3 lems of alcoholism any gift of money or property made therefor
4 by will or otherwise, and any special grant of money, services
5 or property from the federal or state governments or any of
6 their agencies or from private foundations or sources. Any
7 money received under this paragraph shall be turned over to
8 the state treasurer and may be expended by the department in
9 accordance with the conditions of the gift or grant under the
10 order or the approval of the advisory council without specific
11 appropriation.

1 SECTION 9. This act shall take effect on July first, nineteen
2 hundred and fifty-nine.