
By Mr. Kenneally, a petition of George V. Kenneally, Jr., for legislation relative to the organization of the Department of Public Health. State Administration.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE 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. Chapter 17 of the General Laws is hereby
2 amended by striking out Sections 1, 2, and 3 and inserting
3 in place thereof the following sections:

4 *Section 1.* There shall be a Department of Public Health.
5 In the Department there shall be a Commissioner of Public
6 Health and a Public Health Council.

7 *Section 2.* The Commissioner shall be the executive and
8 administrative head of the Department. He shall take cog-
9 nizance of the interests of health and life of the people of the
10 Commonwealth, and of all matters pertaining thereto and
11 exercise the functions, powers and duties of the Department
12 prescribed by law.

13 The Commissioner shall administer the laws relative to
14 health and sanitation and the rules and regulations of the De-
15 partment pertaining thereto. He shall prepare rules and regu-
16 lations for the consideration of the Public Health Council.

17 The Commissioner shall be a physician skilled in sanitary
18 science and experienced in public health administration. Upon
19 the expiration of the term of office of a Commissioner, his
20 successor shall be appointed by the Governor, with the advice
21 and consent of the Council, for five years. The Commissioner
22 shall receive a salary of twenty-three thousand dollars per
23 annum.

24 *Section 3.* The Public Health Council shall consist of the
25 Commissioner, who shall be Chairman, ex officio; and six ap-

26 pointive members, of whom three shall be physicians. Upon
27 the expiration of the term of office of an appointive member,
28 his successor shall be appointed by the Governor, with the
29 advice and consent of the Council, for a term of six years and
30 until the qualification of his successor.

31 The Council shall have no executive, administrative or ap-
32 pointive duties. It shall serve in an advisory capacity to the
33 Commissioner. At the request of the Commissioner, the Coun-
34 cil shall consider any matter relating to the preservation and
35 improvement of public health and may advise the Com-
36 missioner thereon. From time to time, it may submit to the
37 Commissioner recommendations relating to the preservation
38 and improvement of public health.

39 For the purpose of implementing statutes, the Council shall
40 have the power by affirmative vote of a majority of its mem-
41 bers to adopt, and from time to time, amend and repeal, rules
42 and regulations generally, and sanitary regulations to be
43 known as the State Sanitary Code, as prepared and submitted
44 by the Commissioner to the Council for its consideration.

45 The Council may establish rules and regulations relative to
46 its own proceedings, and may revise them from time to time.

47 The Council shall discharge such other duties as are re-
48 quired by law.

49 The Council shall meet at least once a month, except July
50 and August, and at such other times as it shall determine
51 by its rules, or when requested by the Commissioner or any
52 four members. The appointive members shall receive twenty-
53 five dollars a day while in conference, and their necessary
54 traveling expenses while in the performance of their official
55 duties.

56 The Council shall make an annual report to the Governor
57 on the state of health of the citizens of the Commonwealth.

1 SECTION 2. Persons holding the office, prior to the effective
2 date of this Act, of Commissioner of Public Health, or mem-
3 bership in the Public Health Council shall continue in such
4 office and nothing in this Act shall abrogate their terms of
5 office.