

HOUSE . . . . No. 2042

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**The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, June 7, 1945.

The committee on Public Health, to whom was referred so much of the recommendations of the Department of Public Health (House, No. 134) as relates to the organization of union health departments (accompanied by bill, House, No. 151), report the accompanying bill (House, No. 2042).

For the committee,

JOHN W. VAUGHAN.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO THE ORGANIZATION OF UNION HEALTH DEPARTMENTS.

*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 eleven of the General  
2 Laws is hereby amended by inserting after section  
3 twenty-seven A the four following new sections: —

4 *Section 27B.* Two or more cities or towns may, by  
5 vote of the city council and approval of the mayor in  
6 the case of a city, and by vote of the board of select-  
7 men and of the town in the case of a town, form a  
8 union health department, which shall consist of a  
9 union health council and a commissioner of health.

10 The union health council shall consist of one repre-  
11 sentative from each of the constituent cities and towns.

12 *Section 27C.* In a city, unless a different mode of  
13 appointment or election is provided in the city charter,  
14 the representative on the union health council shall  
15 be appointed by the mayor, subject to confirmation  
16 by the board of aldermen, and may be removed in the  
17 same manner for cause. In a town the representative  
18 shall be appointed by the board of selectmen. Such  
19 representatives shall be appointed for a term of three  
20 years, and vacancies shall be filled only for the re-  
21 mainder of the unexpired term. The union health

22 council shall appoint a commissioner of health, shall  
23 approve personnel appointed by the commissioner of  
24 health, shall approve budgets submitted to it by the  
25 commissioner of health and determine the proportion  
26 of such budget to be paid by the constituent cities and  
27 towns, shall make such rules and regulations as may  
28 be necessary and shall hold hearings. The council  
29 shall annually elect a vice-chairman who shall act as  
30 chairman at meetings at which a commissioner is  
31 appointed or removed for cause. Regular meetings of  
32 the council shall be held quarterly and special meet-  
33 ings, when necessary, may be called by the commis-  
34 sioner who shall ex officio be chairman of the council.  
35 Special meetings may also be called at the request of  
36 the majority of the members of the council.

37 *Section 27D.* The union health council shall ap-  
38 point, and may remove for cause, a commissioner of  
39 health who shall be a citizen of the United States, shall  
40 have received the degree of doctor of medicine from  
41 a medical school approved by the Massachusetts  
42 authority for the approval of medical schools. He  
43 shall be qualified to practice medicine under the laws  
44 of this commonwealth. Said commissioner shall de-  
45 vote his entire time to the performance of his duties.  
46 He shall be appointed in June for five years begin-  
47 ning on the first day of the following July. Said  
48 commissioner shall serve until the qualification of  
49 his successor. The salary shall be such as the union  
50 health council may determine. The commissioner of  
51 health shall have all of the powers, duties and re-  
52 sponsibilities given by law to boards of health except  
53 those powers specifically reserved for the union health  
54 council by this section. Upon the qualification of the  
55 commissioner of health first appointed, the terms of

56 the then existing boards of health of the constituent  
57 cities and towns shall terminate and said boards shall  
58 be abolished.

59 *Section 27E.* The commissioner of health shall  
60 annually in December present a budget of the esti-  
61 mated amount of money required for the expenses of  
62 the union health department for the following year  
63 to the union health council, who, upon approval of  
64 same by vote of the respective appropriating authori-  
65 ties of the constituent cities and towns, shall fix the  
66 proportion of such costs and expenses to be paid by  
67 such cities and towns during such year and shall  
68 certify the amounts so fixed to the assessors of the  
69 respective cities and towns, who shall include the  
70 same in the tax levies of the same year. The treas-  
71 urers of the constituent cities and towns shall from  
72 time to time pay to the union health department the  
73 sums so fixed and certified. Such funds shall be  
74 disbursed on order of the commissioner of health in  
75 accordance with the budget. Said commissioner shall  
76 give to the union health council a bond with a surety  
77 company authorized to transact business in the com-  
78 monwealth as surety in such sum as the council may  
79 require. Any constituent municipality may, by vote  
80 of the city council and approval of the mayor in a  
81 city, and by vote of the board of selectmen in a town,  
82 withdraw from the union health department at the  
83 end of the first three-year period, or at the end of  
84 any other three-year period thereafter, provided  
85 notice is given one year before the date of the ex-  
86 pected withdrawal.