

By Messrs. Kaplan of Brookline and Weinberg of Boston, petition of Sumner Z. Kaplan and Norman S. Weinberg that the Division on the Necessaries of Life be transferred from the Department of Labor and Industries to the Department of the Attorney General. State Administration.

**The Commonwealth of Massachusetts**

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

AN ACT TRANSFERRING THE DIVISION ON NECESSARIES OF LIFE FROM THE DEPARTMENT OF LABOR AND INDUSTRIES TO THE DEPARTMENT OF THE ATTORNEY GENERAL.

*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 12 of the General Laws is hereby amended  
2 by inserting after section 8I, under the heading "DIVISION ON  
3 THE NECESSARIES OF LIFE", the following new sections:—

4 *Section 8J.* There shall be in the department of the attorney  
5 general a division on the necessaries of life which shall study  
6 and investigate the circumstances affecting the prices of fuel,  
7 gasoline and refined petroleum products and other commodities  
8 which are necessaries of life. It may inquire into all matters  
9 relating to the production, transportation, distribution and sale  
10 of said commodities, and into all facts and circumstances relating  
11 to the cost of production, wholesale and retail prices and the  
12 method pursued in the conduct of the business of any persons,  
13 firms or corporations engaged in the production, transportation  
14 or sale of the said commodities, or of any business which relates  
15 to or affects the same. It shall also study and investigate the  
16 circumstances affecting the charges for rent of property used for  
17 living quarters, and in such investigation may inquire into all  
18 matters relating to charges for rent.

19 *Section 8K.* The division shall have authority to give hearings,  
20 to administer oaths, to require the attendance and testimony of  
21 witnesses and the production of books and documents and other  
22 papers, and to employ counsel. Witness summonses may be

23 issued by the director or by any assistant by him designated  
24 and shall be served in the same manner as summonses for wit-  
25 nesses in criminal cases issued on behalf of the commonwealth,  
26 and all provisions of law relative to summonses issued in such  
27 cases shall apply to summonses issued hereunder, so far as they  
28 are applicable. Any justice of the supreme judicial court or of  
29 the superior court may, upon application of the director, compel  
30 the attendance of witnesses and the giving of testimony before  
31 the division in the same manner and to the same extent as be-  
32 fore the said courts.

33 *Section 8L.* The division shall investigate all complaints made  
34 to it, and may publish its findings. It shall keep in touch with  
35 the work of federal and municipal and other agencies dealing  
36 with the necessities of life, and give them such assistance as it  
37 deems advisable; and may invoke the aid of said agencies and  
38 of civic and other organizations. It shall administer and enforce  
39 sections two hundred and ninety-five A to two hundred and  
40 ninety-five O, inclusive, of chapter ninety-four.

41 *Section 8M.* Whenever the governor shall determine that an  
42 emergency exists in respect to food or fuel, or any other common  
43 necessary of life, including the providing of shelter, or any two  
44 or more of such necessities of life, he may, with the approval  
45 of the council, by a writing signed by him, designate the ad-  
46 jutant general, the commissioner of labor and industries and the  
47 commissioner of public safety to act as an emergency commis-  
48 sion, and thereupon the commission shall have, with respect to  
49 the necessary or necessities of life as to which the emergency  
50 exists, all the powers and authority granted by the Common-  
51 wealth Defense Act of nineteen hundred and seventeen, being  
52 chapter three hundred and forty-two of the General Acts of  
53 nineteen hundred and seventeen, to persons designated or ap-  
54 pointed by the governor under section twelve of said chapter  
55 three hundred and forty-two; and the governor may revoke  
56 such written authority at any time. During such an emergency,  
57 the governor, with the approval of the council, may make and  
58 promulgate rules and regulations, effective forthwith, for the  
59 carrying out of the purposes of this section and for the per-  
60 formance by the commonwealth and the cities and towns thereof  
61 of any function affecting food or fuel or any other common  
62 necessary of life, including the providing of shelter, authorized  
63 under Article XLVII of the Amendments to the Constitution.

64 Violation of any such rule or regulation shall be punished by a  
65 fine of not more than five hundred dollars or by imprisonment  
66 for not more than six months, or by both. The provisions of  
67 said chapter three hundred and forty-two are hereby made oper-  
68 ative to such extent as the provisions of this section may from  
69 time to time require.

70 *Section 8N.* The executive and administrative head of the  
71 division shall be designated by the attorney general and shall  
72 be known as the director of necessities of life.

1 SECTION 2. Section 4 of chapter 23 of the General Laws is  
2 hereby amended by striking out the second sentence and insert-  
3 ing in place thereof the following sentence: — One of them to be  
4 known as the director of standards shall have charge of the  
5 division of standards, and each of the others shall be assigned to  
6 take charge of a division, other than the division of unemploy-  
7 ment compensation or its successor.

1 SECTION 3. Chapter 23 of the General Laws is hereby amended  
2 by striking out section 8 and inserting in place thereof the fol-  
3 lowing section: —

4 *Section 8.* The director of standards shall in addition to the  
5 powers and duties conferred and imposed upon him by law, per-  
6 form such other duties as may be assigned to him by the com-  
7 missioner.

1 SECTION 4. Sections nine E, nine F, nine G, and nine H of  
2 chapter twenty-three of the General Laws are hereby repealed.

