

HOUSE No. 1048

By Mr. Condon of Boston, petition of the Home Builders Association of Massachusetts, Inc., that the Department of Public Health be required to hold hearings after due notice before adopting or amending the state sanitary code. Public Health.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT THE DEPARTMENT OF PUBLIC HEALTH HOLD HEARINGS AFTER DUE NOTICE BEFORE ADOPTING OR AMENDING REGULATIONS.

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 5 of chapter 111 as amended by chapter 172 of the
2 acts of 1960, is hereby further amended by striking out the
3 second paragraph and inserting the following:—

4 After due notice to all persons interested and a public hearing
5 thereon, said department may adopt, and, in the same manner,
6 may amend public health regulations to be known as the State
7 Sanitary Code which shall become effective and have the force
8 of law upon filing with the secretary of state, or at such later
9 date as may be specified by the department. Such notice shall
10 set forth the text of the regulation or amendment concerning
11 which a public hearing is to be held. The code shall deal with
12 matters affecting the health and well-being of the public in the
13 commonwealth in subjects over which the department takes
14 cognizance and responsibility. Nothing contained in the code
15 shall be in conflict with any general or special law.

