

2697 The following copy of the proposed Act for establishing a State Board of Health is respectfully submitted to you as a friend and promoter of sanitary improvements and the welfare of the people. The Bill was prepared with much care by men who have given studious attention to the subject to which the proposed law relates, and having been favorably reported by the Assembly Committee on Public Health, it is believed that if the friends of such effort will suitably represent to the members of the Legislature the reasons and necessity for such an Act, it will quite certainly be passed.

The necessity for such a Board, the want of a system of registration of Vital Statistics that shall promote sanitary science and social welfare, and the importance of aiding the organization and efficiency of local Boards of Health, demand that such a State Board should be in operation.

The Committee of the American Public Health Association on the Organization of State Boards of Health and the application of general Sanitary Laws would now respectfully urge every citizen who receives this copy to forward a petition and also personally write to the members in both branches of the Legislature to promote the passage of the Act. Any suggestions that friends would offer may be sent to the Secretary of the American Public Health Association.

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No. 230.

IN ASSEMBLY.

FEBRUARY 5, 1874.

Introduced by Mr. BLUMENTHAL—read twice, and referred to the Committee on Public Health—reported favorably from said Committee, and committed to the committee of the whole.

AN ACT

To create a State Board of Health for the protection of life and health, and to prevent the spread of diseases in the State of New York.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Within twenty days after the passage of this act the governor shall appoint four physicians of skill and experience, who shall have been regular graduates of medicine, of not less than ten years, from the several judicial districts of the State, as follows: One from the first and second, one from the third and fourth, one from the fifth and sixth, and one from the seventh and eighth, who, for the time being, shall be sanitary commissioners for said districts; and the said sanitary commissioners, together with the attorney-general of the State, the comptroller and State engineer shall constitute a board of health for the State, and said board shall be denominated "The Board of Health of the State of New York," five members of which, at any regularly called or adjourned meeting, shall organize and constitute a quorum for the transaction of business.

§ 2. The said four persons so appointed shall hold office as such sanitary commissioners respectively for the terms following, namely: one for two years, one for four years, one for six years, and one for eight years, until their successors are appointed and qualified. Immediately after the appointment of said four persons as aforesaid, they shall meet in the office of the Secretary of State, and shall proceed, un-

der his direction, to determine by lot which of them shall hold for the respective terms of two, four, six and eight years, the said office of sanitary commissioners. Immediately, and before entering upon the duties of the office, they shall take the oath prescribed for State officers by the constitution of the State, and shall file the same in the office of the Secretary of State, who, upon receiving the said oath of office, shall issue to each of said commissioners a certificate of appointment for his respective term of office so determined as aforesaid; upon receiving which they shall severally be and become sanitary commissioners, and shall possess and exercise the powers and perform the duties of said board as defined in this act.

§ 3. The term of office of each of the said sanitary commissioners, after the expiration of the terms aforesaid, shall be eight years, and they shall be appointed by the governor. Any vacancies that may occur by reason of death, removal from office or otherwise, shall be filled in like manner.

§ 4. Immediately after the four appointed sanitary commissioners shall have taken the oath of office as above provided, they shall meet with the attorney-general, the comptroller and the State engineer, and organize as a board of health by electing one of said board to be president, and by appointing a proper person, who shall be a physician, to be secretary of said board; and the successive presidents of said board of health shall be annually elected by said board from the members thereof. The secretary shall continue in office as such until removed by the election of a successor or otherwise, and shall be executive officer of said board, and shall receive an annual salary not to exceed three thousand dollars. The said sanitary commissioners shall receive no salary, but the actual personal expenses of any member while engaged in the duties of the board shall be allowed and paid.

§ 5. Said board shall take cognizance of the interests of health and life among the people of the State; they shall make inquiries in respect to the causes of disease, and especially of epidemics, and investigate the sources of mortality, and the effects of localities, employments and other conditions upon the public health.

§ 6. It shall be the duty of said board to obtain, collect, and preserve such information relating to deaths, disease and health as may be useful in the discharge of its duties, and contribute to the promotion of the health or the security of life in the State of New York. And it shall be the duty of all health officers and boards of health in the State to communicate to said State board of health copies of all their reports and publications, also such sanitary information as may be useful. And said board shall keep records of its acts and proceedings as a board, and it shall promptly cause all proper information in possession of said board to be sent to the local health authorities of any city, village, or town in the State which may request the same,

and shall add thereto such useful suggestions as the experience of said board may supply. And it is hereby made the duty of said health authorities to supply the like information and suggestions to said State board of health. And said board is authorized to require reports and information (at such times and of such facts, and generally of such nature and extent, relating to the safety of life and promotion of health as its by-laws or rules may provide), from all public dispensaries, hospitals, asylums, infirmaries, prisons and schools, and from the managers, principals and officers thereof; and from all other public institutions, their officers and managers, and from the proprietors, managers, lessees and occupants of all places of public resort in the State; but such reports and information shall only be required concerning matters or particulars in respect of which it may, in its opinion, need information, for the proper discharge of its duties. Said board shall, when requested by public authorities, or when they deem it best, advise officers of the State, county or local government in regard to sanitary drainage and the location, drainage, ventilation and sanitary provisions of any public institution, building, or public place.

§ 7. It shall be the duty of the State board to give all information that may be reasonably requested, concerning any threatened danger to the public health, to the health officer of the port of New York, and to the commissioners of quarantine of said port, and all other sanitary authorities in the state, who shall give the like information to said board; and said board and said officer, said quarantine commissioners and said sanitary authorities shall, so far as legal and practicable, cooperate together to prevent the spread of disease, and for the protection of life and the promotion of health, within the sphere of their respective duties.

§ 8. Said board may, from time to time, engage suitable persons to render sanitary service and to make or supervise practical and scientific investigations and examinations requiring expert skill, and to prepare plans and reports relative thereto. And it is hereby made the duty of all boards, officers and agents having the control, charge or custody of any public structure, work, ground or erection, or of any plan, description, outlines, drawings or charts thereof, or relating thereto, made, kept or controlled under any public authority, to permit and facilitate the examination and inspection, and the making of copies of the same by any officer or person by said board authorized; and the members of said board, and such other officer or person as may at any time be by said board authorized, may, without fee or hindrance, enter, examine and survey all grounds, erections, vehicles, structures, apartments, buildings and places. But no more than five thousand dollars in any one year shall be expended for such special sanitary service.

§ 9. It shall be the duty of the State board of health to have the general supervision of the State system of registration of births, marriages and deaths. Said board shall prepare the necessary methods and forms for obtaining and preserving such records, and to insure the faithful registration of the same in the several counties and in the central bureau of vital statistics at the capital of the State. The said board of health shall recommend such forms and amendments of law as shall be deemed to be necessary for the thorough organization and efficiency of the registration of vital statistics throughout the State. The secretary of said board of health shall be the superintendent of registration of vital statistics. As supervised by the said board, the clerical duties and safe-keeping of the bureau of vital statistics thus created shall be provided for by the comptroller of the State, who shall also provide and furnish such apartments and stationery as said board shall require in the discharge of its duties.

§ 10. It shall be the duty of said board, on or before the first Monday of December in each year, to make a report in writing to the governor of this State, upon the vital statistics and the sanitary condition and prospects of the State; and such report shall set forth the action of said board and of its officers and agents, and the names thereof, for the past year, and may contain other useful information, and shall suggest any further legislative action or precautions deemed proper for the better protection of life and health. And the annual report of said board shall also contain a detailed statement of the comptroller of all money paid out by or on account of said board, and a detailed statement of the manner of its expenditure, during the year last past, but its total expenditures shall not exceed the sum of eight thousand dollars in any one year.

§ 11. Said board shall meet at least every three months, and may also hold special meetings as frequently as the proper and efficient discharge of its duties shall require; the same to be held (unless otherwise ordered) in the city of Albany; and the rules or by-laws shall provide for the giving of proper notice of all such meetings to the members of the board.

§ 12. The sum of                    thousand dollars (§                    ) is hereby appropriated from the general fund for the purposes of this act, and the expenditures properly incurred by authority of said board and verified by affidavit, subject however to the limitations hereinbefore imposed, and shall be paid by the treasurer upon the warrant of the comptroller.

§ 13. This act shall take effect immediately.