

# SENATE . . . . No. 776

---

---

## The Commonwealth of Massachusetts

---

SENATE, May 13, 1954.

The committee on State Administration, to whom was recommitted the petition (accompanied by bill, Senate, No. 164) of the Massachusetts Farm Bureau Federation, Inc., by Carleton I. Pickett, for legislation relative to the reorganization of the Department of Agriculture, report the accompanying Bill (Senate, No. 776).

For the committee,

RALPH LERCHE.

## The Commonwealth of Massachusetts

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

### AN ACT REORGANIZING THE DEPARTMENT OF AGRICULTURE.

1    *Whereas*, The deferred operation of this act would  
2    tend to defeat its purpose, which is to provide for the  
3    immediate reorganization of the department of agri-  
4    culture, therefore it is hereby declared to be an emer-  
5    gency law, necessary for the immediate preservation  
6    of the public convenience.

*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 20 of the General Laws is  
2    hereby amended by striking out sections 1 to 6, in-  
3    clusive, and inserting in place thereof the following  
4    six sections: —

5    *Section 1.* There shall be a department of agricul-  
6    ture under the supervision and control of a board of  
7    agriculture, consisting of seven members to be ap-  
8    pointed from different counties, by the governor, with  
9    the advice and consent of the council. At least five  
10   members of the board of agriculture shall be farmers  
11   whose principal vocation is the production of food or  
12   fibre. Upon the expiration of the term of office of a  
13   member of the board his successor shall be appointed  
14   by the governor, with the advice and consent of the  
15   council, for seven years, but no member who has  
16   served a term of five years or longer shall be eligible  
17   for reappointment. The board shall meet not less than  
18   four times a year and shall meet at the call of the  
19   chairman or any three members. The chairman shall  
20   be chosen by the board by a majority of those present  
21   and voting at the first meeting in each calendar year,  
22   and shall serve until his successor is chosen. The

23 board of agriculture shall appoint a commissioner who  
24 shall serve for a term of four years and who shall have  
25 charge of the administration of the department. The  
26 board may remove or replace the commissioner by a  
27 two-thirds vote at any time, for cause. The depart-  
28 ment may expend for the traveling expenses of its  
29 members and employees incurred in the performance  
30 of their official duties and for other necessary expenses  
31 of the department such sums as may be annually ap-  
32 propriated.

33 *Section 2.* Upon the expiration of the term of  
34 office of a commissioner, his successor shall be ap-  
35 pointed by the board of agriculture. The commis-  
36 sioner shall receive such salary, not exceeding nine  
37 thousand dollars, as the governor and council may  
38 determine, and traveling expenses incurred in his  
39 official duties.

40 *Section 3.* The commissioner shall be the executive  
41 and administrative head of the department and shall  
42 have charge of the administration and enforcement of  
43 all laws which it is the duty of the department to ad-  
44 minister and enforce, and shall direct all inspections  
45 and investigations.

46 *Section 4.* The commissioner, with the approval of  
47 the board of agriculture, shall appoint an assistant  
48 commissioner and shall assign to him from time to  
49 time such duties as he may determine.

50 *Section 5.* The assistant commissioner shall re-  
51 ceive such salary not exceeding seventy-five hundred  
52 dollars, as the governor and council may determine,  
53 and traveling expenses incurred in the performance  
54 of his official duties.

55 *Section 6.* The commissioner shall organize the de-  
56 partment into divisions, including a division of dairy-  
57 ing and animal husbandry, a division of livestock  
58 disease control, a division of plant pest control and  
59 fairs, a division of markets, and such other divisions  
60 as he may from time to time determine, and shall as-  
61 sign to said divisions their functions. The commis-

62 sioner shall, with the approval of the board of agri-  
63 culture, appoint a director of each division to have  
64 charge of the work of the division, and he may, with  
65 like approval, remove such director at any time. The  
66 compensation of directors shall be fixed by the com-  
67 missioner with the approval of the governor and coun-  
68 cil. The commissioner, with the approval of the board  
69 of agriculture, shall appoint such inspectors, investi-  
70 gators and scientific experts as the work of the de-  
71 partment may require, and may assign them to  
72 divisions, transfer and, with like approval, remove  
73 them. He shall, subject to the provisions of chapter  
74 thirty-one, appoint such clerks and other assistants  
75 as he may deem necessary.

1 SECTION 2. Section 7 of said chapter 20, as most  
2 recently amended by section 1 of chapter 604 of the  
3 acts of 1953, is hereby further amended by striking  
4 out, in line 2, the word "four" and inserting in place  
5 thereof the word: — six.

1 SECTION 3. Nothing in this act shall interfere with  
2 the completion of the term of office of the commis-  
3 sioner of agriculture in office on the effective date of  
4 this act.

1 SECTION 4. Of the initial appointments made by  
2 the governor to the board of agriculture, one member  
3 shall serve for a term of one year, one for a term of  
4 two years, one for a term of three years, one for a  
5 term of four years, one for a term of five years, one  
6 for a term of six years and one for a term of seven  
7 years.

1 SECTION 5. Upon the effective date of this act all  
2 books, papers and records of the advisory board of  
3 agriculture, existing prior to the said date, shall be  
4 turned over to the board of agriculture established by  
5 section one of chapter twenty of the General Laws, as

6 appearing in section one of this act. Notwithstanding  
7 the provisions of section six of chapter twenty of the  
8 General Laws, as appearing in section one of this act,  
9 all persons employed by the department of agricul-  
10 ture, as existing prior to said effective date, shall on  
11 said effective date be transferred to and be employees  
12 of the department of agriculture, as reorganized by  
13 section one of this act, without any impairment of  
14 civil service, retirement, seniority or other rights.



SENATE

February 2, 1907

The Committee on the Judiciary

has the honor

to acknowledge the receipt of your letter of the 29th inst.

in relation to the proposed amendment to the Constitution

of the United States, and in reply to inform you that the same

has been referred to the Committee on the Judiciary.

The Committee will hold a public hearing on the subject

on the 14th inst. at 10 o'clock in the forenoon, in the

Senate Chamber, and will receive suggestions and testimony

from all interested parties. It is requested that you

be present at the hearing, and that you bring with you

any suggestions or testimony which you may wish to present.

Very respectfully,  
The Secretary of the Senate

W. A. RORER, Secretary

U. S. SENATE

