

HOUSE No. 1220

The Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 16, 1928.

The committee on Bills in the Third Reading, to whom was referred the bill to regulate the taking of shellfish from contaminated waters and relative to the purification of such shellfish (House, No. 792, changed), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1220).

For the committee,

THOMAS R. BATEMAN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Eight.

An Act to Regulate the Taking of Shellfish from Contaminated Waters and Relative to the Purification of Such Shellfish.

1 *Whereas*, The deferred operation of this act would,
2 in part, defeat its purpose, therefore it is hereby de-
3 clared to be an emergency law, necessary for the im-
4 mediate preservation of the public health and con-
5 venience.

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 thirty of the General Laws
2 is hereby amended by inserting before section one
3 hundred and forty-three the two following new sec-
4 tions: —

5 *Section 142A.* The commissioner of public health
6 may, in writing, approve the digging or taking of shell-
7 fish from an area determined under section one hundred
8 and thirty-seven or corresponding provisions of earlier
9 laws to be contaminated, upon the express condition
10 that all shellfish dug or taken therefrom by the recip-
11 ient of written approval hereunder shall, before being
12 used or disposed of for consumption as food, be puri-
13 fied at a plant approved in writing by said commis-
14 sioner as to the location, construction and operation

15 thereof and as to the person in immediate charge
16 thereof. Said commissioner may revoke such approval
17 at any time upon receipt of evidence satisfactory to
18 him of violation of any condition upon which such
19 approval is based or of any rule or regulation promul-
20 gated by said department under this section, and such
21 revocation shall be final. Said department may from
22 time to time promulgate rules and regulations to carry
23 out the provisions of this section.

24 *Section 142B.* At the request of the city council
25 of a city or the selectmen of a town, the director may
26 appoint from a list of names to be submitted to him
27 by said city council or selectmen one or more deputy
28 fish and game wardens who shall supervise the digging,
29 taking and purification of shellfish provided for by
30 section one hundred and forty-two A and enforce the
31 rules and regulations promulgated by the department
32 of public health under said section, and for such pur-
33 pose they shall have all the powers of deputy fish and
34 game wardens appointed under section seven of chapter
35 twenty-one. Deputy fish and game wardens appointed
36 hereunder shall serve without compensation from the
37 commonwealth, but may be paid by the city or town
38 for which they are appointed such compensation as
39 shall be determined by it.

