

# HOUSE . . . . . No. 5399

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## The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 22, 1971.

The committee on Natural Resources and Agriculture, to whom was referred the petition (accompanied by bill, House, No. 2114) of Ann C. Gannett relative to the licensing of pet shops by the Department of Public Health, report recommending that the accompanying bill (House, No. 5399) ought to pass.

For the committee,

STEVE T. CHMURA

**The Commonwealth of Massachusetts**

**In the Year One Thousand Nine Hundred and Seventy-One.**

**AN ACT REGULATING THE OPERATION OF PET SHOPS.**

*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. Section 1 of chapter 129 of the General Laws, as  
2 most recently amended by section 9 of chapter 347 of the acts of  
3 1967, is hereby further amended by adding at the end thereof  
4 the following definition: —

5 “Pet Shops”, Every place or premise where birds, mammals or  
6 reptiles are kept for the purpose of either wholesale or retail,  
7 import, export, barter, exchange or gift.

1 SECTION 2. Said chapter 129 is hereby further amended by  
2 inserting after section 39 the following section: —

3 *Section 39A.* Every person engaged in the business of  
4 operating a pet shop, shall obtain a license therefor from the  
5 director, the fee for which shall be fifty dollars, and such license  
6 shall expire on December thirty-first following the date of  
7 issuance, unless sooner revoked. The director, subject to the  
8 approval of the governor and council, may make rules and  
9 regulations governing the issuance and revocation of such licenses  
10 and the conduct of the businesses so licensed and relative to the  
11 maintenance of premises, buildings and conveyances, the health  
12 of the birds, mammals or reptiles and the method and time of  
13 inspection and checking of said animals.

1 SECTION 3. The provisions of this act shall not apply to:

- 2 (a) A bona fide public or private owned zoological park; or
- 3 (b) A public owned animal pound; or
- 4 (c) A research institution as defined in section one of chapter  
5 forty-nine A of the General Laws; or
- 6 (d) Persons selling, exchanging or otherwise transferring the  
7 offspring of their personally owned animals or
- 8 (e) Horse or cattle auctions.