

By Mr. Flaherty of Boston, petition of Michael F. Flaherty and another for legislation to establish a special non-legislative commission to investigate animal abuse and vivisection. Counties.

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**The Commonwealth of Massachusetts**

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

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AN ACT TO PREVENT ABUSIVE TREATMENT OF ANIMALS.

*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 17 of chapter six of the General Laws is  
2 hereby amended as follows by adding thereto: — the commission  
3 to investigate animal abuse and vivisection.

1 SECTION 2. A new section shall be added to chapter six as  
2 follows: — There shall be a commission to investigate animal  
3 abuse and vivisection called the commission, consisting of seven  
4 members to be appointed by the governor, four of whom shall be  
5 members of animal rights groups, one of whom shall represent the  
6 research community, one of whom shall be a representative of the  
7 Medical Schools, and one of whom shall represent the population  
8 at large. Upon the expiration of the term of office of an appointive  
9 member, his successor shall be appointed in like manner for a term  
10 of three (3) years, and shall serve until the qualification of his  
11 successor.

12 The Chairman and vice chairman of the commission shall be  
13 elected biennially by the members.

14 **FUNCTIONS, POWERS AND DUTIES OF COMMISSION**

15 The commission shall have the following functions, powers and  
16 duties:

17 1. To establish and maintain its principal office in the City of  
18 Boston.

19 2. To meet and function at any place within the common-  
20 wealth.

21 3. To appoint such attorneys, clerks, and other employees,  
22 agents and investigators as it may deem necessary, fix their com-  
23 pensation within the limitations provided by law, and prescribe  
24 their duties.

25 4. To obtain upon request and utilize the services of all execu-  
26 tive departments and agencies.

27 5. To adopt, promulgate, amend and rescind rules and regula-  
28 tions suitable to carry out the provisions of this chapter, and the  
29 policies and practice of the commission in connection therewith.

30 6. To receive, investigate and pass upon complaints of unlaw-  
31 ful practices, as hereinafter defined, alleging animal abuse and  
32 vivisection.

33 7. To hold hearings, subpoena witnesses, compel their attend-  
34 ance, administer oaths, take the testimony of any person under  
35 oath, and in connection therewith, to require the production for  
36 examination of any books or papers relating to any matter under  
37 investigation or in question before the commission. The commis-  
38 sion may make rules as to the issuance of subpoenas by individual  
39 commissioners.

40 No person shall be excused from attending and testifying or  
41 from producing books, records, correspondence, documents or  
42 other evidence in obedience to the subpoena of the commission on  
43 the ground that the testimony or evidence required of him may  
44 tend to incriminate him or subject him to a penalty or forfeiture;  
45 but no individual shall be prosecuted or subjected to any penalty or  
46 forfeiture for or on account of any transaction, matter or thing  
47 concerning which he is compelled, after having claimed his privi-  
48 lege against self-incrimination to testify or produce evidence, ex-  
49 cept that such individual so testifying shall not be exempt from  
50 prosecution and punishment for perjury committed in so  
51 testifying.

52 8. To create such advisory agencies and conciliation councils,  
53 local, regional or state-wide, as in its judgment will aid in effectuat-  
54 ing the purposes of this chapter, and the commission may empower  
55 them to study problems in all or specific fields of animal abuse and  
56 vivisection, and to make recommendations to the commission in  
57 general and in specific instances. Such advisory agencies and conci-

58 liation councils shall be composed of, to the extent reasonably  
59 possible, representative citizens, serving without pay, but with  
60 reimbursement for actual and necessary traveling expenses; and  
61 the commission may make provision for technical and clerical  
62 assistance to such agencies and councils and for the expenses of  
63 such assistance.

64 9. To issue such publications and such results of investigations  
65 as in its judgment will tend to minimize or eliminate animal abuse  
66 and vivisection.

67 10. To render each year to the governor and to the general court  
68 a full written report of its activities and of its recommendations.

69 11. To adopt an official seal.

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