

Accompanying the second recommendation of the Department of Food and Agriculture (House, No. 93). Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Seven.

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AN ACT MAKING CORRECTIVE CHANGES IN CERTAIN LAWS PERTAINING TO ANIMAL HEALTH AND PLANT PEST CONTROL.

*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 90A of Chapter 94 of the General Laws,  
2 as appearing in the 1994 Official Edition, is hereby amended by  
3 striking out, on line 7 thereof, the word "one-quarter" and  
4 replacing them with the word "three-sixteenths".

1 SECTION 2. Said section 90A, as so appearing, is hereby fur-  
2 ther amended by striking out the phrase "not more than three-  
3 eighths of an inch" as appearing on lines 16 and 17 thereof and  
4 replacing it with the phrase "may be more than three-eighths of an  
5 inch."

1 SECTION 3. Section 17 of Chapter 128 of the General Laws is  
2 hereby amended by adding at the end thereof the following: —  
3 "The director may similarly revoke a certificate already issued if  
4 in his opinion it is necessary to prevent the introduction or spread  
5 of any plant disease or pest into or within the commonwealth."

1 SECTION 4. Section 2 of Chapter 129, as appearing in the  
2 1994 Official Edition, is hereby amended by adding thereto, on  
3 line 9 thereof, after the word "carcasses" the following: — "the  
4 use or prohibition or specific vaccines or other veterinary bio-  
5 logics,".

1 SECTION 5. Section 26B of said Chapter 129, as so appearing,  
2 is hereby amended by striking out, on lines 7 and 8 thereof, the  
3 phrase: — “ ‘pullorum passed’ or ‘pullorum clean’ grades” and  
4 inserting in place thereof the following phrase: — “pullorum  
5 typhoid clean and pullorum typhoid passed.”

1 SECTION 6. Section 35 of said Chapter 129 is hereby repealed  
2 in its entirety and the following new section inserted in its  
3 place:—

4 Cattle which the director has reason to believe may spread con-  
5 tagious disease shall not be driven on any public way or road, or  
6 outside the stockyards connected with any railroad in the com-  
7 monwealth, and they shall be kept in different pens from those in  
8 which other cattle are kept in all stockyards in the commonwealth.  
9 Whoever violates this section shall be punished by a fine of  
10 twenty-five dollars per animal.

1 SECTION 7. Section 36B of said Chapter 129, as so appearing,  
2 is hereby amended by striking out, in the first sentence, all after  
3 the phrase “bangs disease,” in line 2 thereof and inserting in place  
4 thereof the following: — according to vaccine directions.

1 SECTION 8. Section 39 of Chapter 129 of the General Laws is  
2 hereby amended by striking out said section in its entirety and  
3 replacing it with the following new section: —

4 Every person engaged in the business of dealing or transporting  
5 livestock shall obtain a license therefor from the director, the fee  
6 for which shall be determined by the commissioner of administra-  
7 tion under the provisions of section thirteen B of chapter seven for  
8 the filing thereof, and such license shall expire on November thir-  
9 tieth of the year subsequent to its issuance unless sooner revoked.  
10 The director shall, subject to the approval of the commissioner of  
11 the department of food and agriculture, make rules and regulations  
12 governing the issuance and revocation of such licenses and the  
13 conduct of the businesses so licensed and relative to the mainte-  
14 nance of premises, buildings and conveyances, the health of live-  
15 stock and the method and time of inspection of said animals.

16 Each vehicle used for the transportation of livestock by any  
17 person engaged in the business of dealing in such animals, when

18 operated on any way of the commonwealth, shall bear a metal  
19 license plate, attached to the side of the vehicle to the left of the  
20 person operating or driving the same, such plate to be furnished  
21 by the department upon the payment of a fee to be determined  
22 annually by the commissioner of administration under the provi-  
23 sion of section three B of Chapter seven. Said plate shall be valid  
24 for the term for which the license is granted, but shall be returned  
25 to the director on revocation of said license. In the transportation  
26 of equine animals under the provisions of this chapter the use of  
27 multiple deck or so-called "possum belly" vehicles is prohibited.

1 SECTION 9. Section 39A of said Chapter 129, as so  
2 appearing, is hereby amended by striking out all after the word  
3 "director" in line 2, and inserting in place thereof the following:  
4 — the fee for which shall be fifty dollars, and such license shall  
5 expire on December thirty-first following the date of issue, unless  
6 sooner revoked.

1 SECTION 10. Sections forty, forty-five and forty-six of  
2 Chapter one hundred and twenty-nine are hereby repealed.

1 SECTION 11. Section 138A of Chapter 140 of the General  
2 Laws is hereby amended by striking out the second sentence of  
3 the first paragraph thereof.

1 SECTION 12. Said section 138A is hereby further amended by  
2 striking out all in the first sentence of the second paragraph  
3 thereof after the phrase "cosigner and cosignee,".

