

Accompanying the thirty-ninth recommendation of the Department of Fisheries, Wildlife and Recreational Vehicles (House, No. 123).  
The Judiciary.

## The Commonwealth of Massachusetts

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

### AN ACT TO INCREASE FINES AND PENALTIES FOR DIGGERS, TRANSPORTERS, WHOLESALE DEALERS AND RETAIL DEALERS SELLING CONTAMINATED SHELLFISH FOR HUMAN CONSUMPTION.

*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 2 of Chapter 130 of the General Laws  
2 shall be amended by deleting the third paragraph and insert-  
3 ing the following new paragraph therein: Whoever violates  
4 any provision of this chapter shall, unless otherwise provided  
5 be punished by a fine of not less than ten dollars nor more  
6 than ten thousand dollars, or by imprisonment for not more  
7 than one year, or both.

1 SECTION 2. Paragraph one, Section 75 of Chapter 130 of the  
2 General Laws is amended by inserting after the second sen-  
3 tence two new sentences as follows: In order to assure full  
4 compliance with said conditions and regulations, the director  
5 shall require a bond to be obtained by a master digger in a  
6 sum not to exceed one thousand dollars for a master digger  
7 whose record includes no prior judicial or administrative con-  
8 victions related to this chapter, not to exceed twenty-five hun-  
9 dred dollars for a master digger whose record includes one  
10 prior judicial or administrative conviction, related to this  
11 chapter, and not to exceed five thousand dollars for a master  
12 digger whose record includes two or more prior judicial or ad-  
13 ministrative convictions related to this chapter. The director

14 may require forfeiture of all or part of said bond for any  
15 violation of said conditions and regulations.

1 SECTION 3. Paragraph two of Section 75 of Chapter 130 of  
2 the General Laws shall be amended by deleting that part of  
3 the first sentence following “. . . and one half hour after the  
4 following sunset . . .” and inserting the following: by a fine  
5 of not less than three hundred nor more than one thousand  
6 dollars or three times the value of said shellfish, whichever  
7 is greater, or by imprisonment for not more than two years  
8 in the state prison or both, and if the violation occurred be-  
9 tween one half hour after sunset and one half hour before the  
10 following sunrise, by a fine of not less than five hundred nor  
11 more than two thousand dollars, or three times the value of  
12 said shellfish, whichever is greater, or imprisonment for not  
13 more than three years in the state prison, or both. Any li-  
14 censed wholesaler or retailer found in violation of this section  
15 shall be punished by a fine of not less than one hundred nor  
16 more than ten thousand dollars or by imprisonment for not  
17 more than three years in the state prison, or both.

1 SECTION 4. Paragraph two of Section 75 of Chapter 130 of  
2 the General Laws shall be amended by deleting the last sen-  
3 tence and adding the following: In a prosecution a violation of  
4 this section, the possession by a digger, licensed wholesaler or  
5 retail dealer, but not by common carrier, of shellfish taken in  
6 apparent violation of this section shall be prima facie evidence  
7 of a violation of this section.

1 SECTION 5. Section 80 of Chapter 130 of the General Laws  
2 shall be amended by deleting the last sentence and adding the  
3 following new sentence: Whoever violates any provision of  
4 this section, or permits issued or requirements imposed under  
5 this section, shall be punished by a fine of not less than ten  
6 dollars nor more than ten thousand dollars or by imprison-  
7 ment for not more than three years in the state prison, or  
8 both.

1 SECTION 6. Section 81 of chapter 130 of the General Laws  
2 shall be amended by deleting the first sentence of the second

3 paragraph and adding the following sentence: Who violates  
4 any provision of this section or counterfeits, alters, defaces,  
5 or tampers with any label or tag shall be punished by a fine of  
6 not less than one hundred nor more than ten thousand dol-  
7 lars or by imprisonment for not more than three years in the  
8 state prison, or both.

1 SECTION 7. Section 82 of Chapter 130 of the General Laws  
2 shall be amended by deleting the last sentence and adding the  
3 following new sentence: Whoever violates any provision of  
4 this section or fails or neglects to furnish the required label  
5 or tag or furnishes such a label or tag bearing false or mis-  
6 leading information or counterfeits, alters, defaces, or tamp-  
7 ers with any label or tag shall be punished by a fine of not  
8 less than one hundred nor more than ten thousand dollars or  
9 by imprisonment for not more than three years in the state  
10 prison, or both.

The first part of the report deals with the general situation of the country and the progress of the war. It is a very interesting and detailed account of the events of the year, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

The second part of the report deals with the military operations of the year. It is a very detailed account of the campaigns and battles, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

The third part of the report deals with the political situation of the country. It is a very detailed account of the events of the year, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

The fourth part of the report deals with the economic situation of the country. It is a very detailed account of the events of the year, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.

The fifth part of the report deals with the social situation of the country. It is a very detailed account of the events of the year, and is written in a clear and concise style. The author has done a great deal of research, and his information is very accurate. The report is a valuable contribution to the history of the war, and is well worth reading.