

By Mr. Murphy of Peabody, petition of John E. Murphy, Jr., for legislation to establish a commission to study animal abuse and vivisection. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

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: —

3 There shall be a commission to investigate animal abuse and
4 vivisection called the commission, consisting of seven members to
5 be appointed by the governor, four of whom shall be members of
6 animal rights groups, one of whom shall represent the research
7 community, one of whom shall be a representative of the Medical
8 Schools, and one of whom shall represent the population at large.
9 Upon the expiration of the term of office of an appointive member,
10 his successor shall be appointed in like manner for a term of three
11 years, and shall serve until the qualification of his 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
46 or 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,
49 except 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
55 empower them to study problems in all or specific fields of animal
56 abuse and vivisection, and to make recommendations to the com-
57 mission in general and in specific instances. Such advisory agen-
58 cies and conciliation councils shall be composed of, to the extent

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

