

HOUSE No. 1555

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to ensure continued humane animal care and support family farms.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>

<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Brian R. Mannal</i>	<i>2nd Barnstable</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>

HOUSE No. 1555

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 1555) of David M. Rogers and others for legislation to impose a penalty for the confinement of farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and fully extend their limbs. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to ensure continued humane animal care and support family farms.

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. Chapter 272 of the General Laws is hereby amended by adding the

2 following section:--

3 Section 106.

4

5 (a) The purpose of this section, subject to exceptions, is to prohibit the confinement of
6 farm animals in a manner that does not allow them to turn around freely, lie down, stand up, and
7 fully extend their limbs.

8 (b) Notwithstanding any other provision of law, a person is guilty of unlawful
9 confinement of a covered farm animal if the person is a farm owner or operator who knowingly

10 tethers or confines any covered animal, on a farm, for all or the majority of any day, in a manner
11 that prevents such animal from:

12 (1) Lying down, standing up, and fully extending his or her limbs; and

13 (2) Turning around freely.

14 (c) This section shall not apply:

15 (1) During medical, scientific, or agricultural research.

16 (2) During examination, testing, individual treatment or operation for veterinary
17 purposes.

18 (3) During transportation.

19 (4) During rodeo exhibitions, state or county fair exhibitions, 4-H programs, and
20 similar exhibitions.

21 (5) During the slaughter of a covered animal in accordance with the provisions of
22 Chapter 94, sections 139C and 139D of the General Laws, and other applicable laws and
23 regulations.

24 (6) To a pig during the seven-day period prior to the pig's expected date of giving
25 birth.

26 (d) For the purposes of this section:

27 (1) "Calf raised for veal" means any calf of the bovine species kept for the
28 purpose of producing the food product described as veal.

29 (2) "Covered animal" means any pig during pregnancy, or calf raised for veal who
30 is kept on a farm.

31 (3) "Enclosure" means any cage, crate, or other structure (including what is
32 commonly described as a "gestation crate" for pigs; or a "veal crate" for calves used to confine a
33 covered animal).

34 (4) "Farm" means the land, building, support facilities, and other equipment that
35 are wholly or partially used for the commercial production of animals or animal products used
36 for food or fiber; and does not include live animal markets.

37 (5) "Farm owner or operator" means any person who owns or controls the
38 operation of a farm, and does not include any non-management employee, contractor, or
39 consultant.

40 (6) "Fully extending his or her limbs" means fully extending all limbs without
41 touching the side of an enclosure

42 (7) "Person" means any individual, firm, partnership, joint venture, association,
43 limited liability company, corporation, estate, trust, receiver, or syndicate.

44 (8) "Pig during pregnancy" means any pregnant pig of the porcine species kept for
45 the primary purpose of breeding.

46 (9) "Turning around freely" means turning in a complete circle without any
47 impediment, including a tether, and without touching the side of an enclosure.

48 (e) Any person who violates any of the provisions of this chapter is guilty of a
49 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed one
50 thousand dollars (\$1,000).

51 SECTION 2. This chapter shall take effect one year after its passage.