The Commonwealth of Massachusetts
MASSACHUSETTS SENATE
COMMITTEE ON WAYS AND MEANS

SENATOR MICHAEL J. RODRIGUES
First Bristol and Plymouth District
CHAIR
Committee on Ways and Means
MICHAEL.RODRIGUES@MASENATE.GOV
WWW.MASENATE.GOV

STATE HOUSE, ROOM 212
BOSTON, MA 02133-1053
TEL: (617) 722-1114
FAX: (617) 722-1498
WAYS & MEANS: (617) 722-1481

ONE GOVERNMENT CENTER
ROOM 235
FALL RIVER, MA 02722
TEL. (508) 646-0650
FAX. (508) 646-0656

SOMERSET TOWN HALL
140 WOOD STREET
SOMERSET, MA 02726
TEL. (508) 673-8408

MEMORANDUM

TO: Members of the Senate Committee on Ways and Means

FROM: Chair Michael J. Rodrigues

DATE: January 12, 2024

SUBJECT: Poll

Attached is a summary of the bills presently before the Senate Committee on Ways and Means. Committee members will be polled today from 10:00 am to 11:00 am on the question of reporting the bills favorably.

Please be advised that under Senate Rule 12, all recorded votes of the Senate Committee on Ways and Means will be posted on the website of the General Court immediately following the conclusion of the poll.

Do not hesitate to contact Aaron Carty in my office if you have any questions. Thank you for your participation.

SENATE 190: **AN ACT PROHIBITING INHUMANE FELINE DECLAWING**
(summary reflects text as redrafted)

SPONSORS: Senators Montigny, O'Connor, Fattman, Lovely, DiDomenico, Eldridge, Mark, Edwards, Lewis, and Gomez and several members of the House of Representatives

LEGISLATIVE HISTORY:

01/20/23	Petition filed
02/16/23	Referred to the Committee on Consumer Protection and Professional Licensure; House concurred
06/26/23	Hearing held
10/19/23	Bill reported favorably by the Committee and referred to the Committee on Senate Ways and Means

EXISTING LAWS AFFECTED: M.G.L. c. 140 § 137D

PROPOSED LEGISLATION:

- Defines "declawing procedure" as a procedure that removes a portion of the paw or digit of an animal in order to remove a claw.

- Defines "therapeutic purpose" as addressing an existing or recurring infection, disease, injury or abnormal condition in the claw as a matter of medical necessity.

- Prohibits a person from performing a declawing procedure unless: (i) the declawing procedure is being performed by a licensed veterinarian for a therapeutic purpose; or (ii) the person who causes a declawing procedure to be performed is relying on the written opinion of a licensed veterinarian that the procedure is required for a therapeutic purpose.

- Requires a veterinarian who performs a declawing procedure to maintain a record of the procedure for a period of 4 years, including the name and address of the animal owner's address, a description of the animal, the time and date of the procedure, the reason for the procedure, and any diagnostic analysis or test result to support the diagnosis, and to report the number of declawing procedures to the Board of Registration in Veterinary Medicine.

- Requires the Board of Registration in Veterinary Medicine to annually report the number of animals that underwent a declawing procedure to the Joint Committee on Environment and Natural Resources.

- Authorizes the Board of Registration in Veterinary Medicine to impose disciplinary action on a veterinarian that violates the restrictions on declawing procedures.

- Provides that a person who violates the restrictions on declawing procedures shall be punished by a fine of not more than: (i) $1,000 for a first offense; (ii) $1,500 for a second offense; and (iii) $2,500 for a third or subsequent offense.

- Requires a dog license holder that is penalized for violating the restrictions on declawing procedures to surrender the dog license.

ESTIMATED FISCAL IMPACT: This legislation has no cost to the Commonwealth.

(AJP)

SENATE 2457: **AN ACT RELATIVE TO ARCHAIC LAWS**

(summary reflects text as redrafted)

SPONSORS: Senators Brownsberger, DiDomenico, Rausch and several members of the House of Representatives

LEGISLATIVE HISTORY:

10/10/23	Reported from the Committee on the Judiciary; New draft of S2457; Bill reported favorably by the Committee and referred to the Committee on Rules of the two branches, acting concurrently
11/09/23	Bill reported favorably by the Committee and referred to the Committee on Senate Ways and Means

EXISTING LAWS AFFECTED: M.G.L. c. 3; c. 127 §§ 20B, 49, 49B, 49C and 143; c. 272 §§ 34, 35, 53 and 62; c. 276 § 57; c. 277 §§ 45, 63 and 79

PROPOSED LEGISLATION:

- Establishes a permanent law review commission to evaluate and recommend changes to identify defects and anachronisms in the law and recommend needed reforms.
- Repeals certain provisions related to the status of being a common nightwalker and removes reference to this offense throughout the General Laws.
- Repeals the prohibition on crimes against nature and removes reference to this offense throughout the General Laws.
- Repeals the provision for indictment for unnatural and lascivious acts.
- Modifies the crime of unnatural and lascivious acts to include only public lewd and lascivious acts with another person with the intent of public exposure or with reckless disregard of substantial risk of public exposure punishable by a fine of not more than $200, by imprisonment in a jail or house of correction for not more than 6 months or by both such fine and imprisonment.
- Removes reference to sodomy and unnatural acts from the General Laws.

ESTIMATED FISCAL IMPACT: This legislation has no cost to the Commonwealth.

(KHV)

SENATE 2476: **AN ACT PROVIDING CONSUMERS WITH EQUAL PROTECTION FOR ALL REAL ESTATE APPRAISALS**
(summary reflects text as redrafted)

SPONSORS: Senator Creem and several members of the House of Representatives

LEGISLATIVE HISTORY:

10/19/23	Reported from the Committee on Consumer Protection and Professional Licensure; New draft of S147; Bill reported favorably by the Committee and referred to the Committee on Senate Ways and Means

EXISTING LAWS AFFECTED: M.G.L. c. 112 §§ 173 and 174

PROPOSED LEGISLATION:

- Defines "evaluation" as an estimate of the value of real property, made in accordance with the Interagency Appraisal and Evaluation Guidelines, for use in a real estate-related financial transaction for which an appraisal is not required by federal law.
- Prohibits a person without a real estate appraisal license or certification from preparing, for a fee or other consideration, an appraisal or appraisal report relating to real estate or real property in the Commonwealth.
- Requires real estate appraisers licensed or certified in the Commonwealth to disclose that an evaluation is not an appraisal and that they are not required to comply with the Uniform Standards of Professional Appraisal Practice when providing an evaluation.

ESTIMATED FISCAL IMPACT: This legislation has no cost to the Commonwealth.

(KHV)