Massachusetts voters say no to tight quarters for hens, pigs, and calves
• **Background:** the ballot question & the process

• **The road to the ballot:** increasing transparency and accountability

• **Substantive legal change:** increasing transparency and accountability by using the ballot to push beyond the bounds of legislation

• **Challenges**
**Ballot Questions**

**Massachusetts INFORMATION FOR VOTERS**

**2016 Ballot Questions**

**STATE ELECTION**

Tuesday, November 8, 2016

Voter Registration Mail-In Form Enclosed

Massachusetts Register to Vote Online
registertovotema.com

Published by
William Francis Galvin
Secretary of the Commonwealth

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**QUESTION 3: Law Proposed by Initiative Petition**

**Conditions for Farm Animals**

Do you approve of a law authorized below, or shall you vote against it?

**SUMMARY**

This proposed law would prohibit any farm owner or operator from knowingly confining or injuring any breeding pig, calf raised for veal, or egg-laying hen in a way that prevents the animal from lying down, standing up, fully extending its limbs, or turning around freely. The proposed law would also prohibit any business owner or operator in Massachusetts from selling whole eggs intended for human consumption or any uncooked out of veal or pork if the business owner or operator knows or should know that the hen, breeding pig, or veal calf that produced these products was confined in a manner prohibited by the proposed law. The proposed law would exempt sales of food products that combine veal or pork with other products, including soups, sandwiches, pizzas, hotdogs, or similar processed or prepared food items.

The proposed law’s confinement prohibitions would not apply during transportation; state and county fair exhibitions; 4-H programs; slaughter in compliance with applicable laws and regulations; medical research; veterinary exams, testing, treatment and operation if performed under the direct supervision of a licensed veterinarian; five days prior to a pregnant pig’s expected date of giving birth; any day that pig is nursing piglets; and for temporary periods for animal husbandry purposes not to exceed six hours in any twenty-four hour period.

The proposed law would create a civil penalty of up to $1,000 for each violation and would give the Attorney General’s exclusive authority to enforce the law and to issue regulations to implement it. As a defense to enforcement proceedings, the proposed law would allow a business owner or operator to rely on good faith upon a written certification or guarantee of compliance by a supplier.

The proposed law would be in addition to any other animal welfare laws and would not prohibit stricter local laws.

The proposed law would take effect on January 1, 2017. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

**A YES VOTE would prohibit any confinement of pigs, calves, and hens that prevents them from lying down, standing up, fully extending their limbs, or turning around freely.**

**A NO VOTE would make no change in current laws relative to the keeping of farm animals.**

**STATEMENT**

Because the law would not take effect until January 1, 2017, this proposed measure for state and municipal elections would have no immediate effect.
<table>
<thead>
<tr>
<th>Calendar of Events</th>
<th>Legal Deadlines</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission of petition to Attorney General by 10 original signers</td>
<td>By the 1st Wednesday of August</td>
<td>August 2, 2017</td>
</tr>
<tr>
<td>Filing of petition with Secretary of the Commonwealth by original Petitioners</td>
<td>Not before the 1st Wednesday of September</td>
<td>September 6, 2017</td>
</tr>
<tr>
<td>Secretary has petition forms prepared for collection of required number of signatures</td>
<td>No later than 14 days after filing with the Secretary</td>
<td>September 20, 2017*</td>
</tr>
<tr>
<td>Filing of petitions with local registrars for certification</td>
<td>By 14 days before the 1st Wednesday of December</td>
<td>November 22, 2017</td>
</tr>
<tr>
<td>Filing certified petitions with the Secretary</td>
<td>By the 1st Wednesday of December</td>
<td>December 6, 2017</td>
</tr>
<tr>
<td>Transmittal of petitions to House Clerk by the Secretary</td>
<td>First legislative day of the year</td>
<td>January 3, 2018</td>
</tr>
<tr>
<td>Legislative action</td>
<td>Before the 1st Wednesday of May</td>
<td>May 1, 2018</td>
</tr>
<tr>
<td>Filing with Secretary of request for additional petition forms</td>
<td>Not before the 1st Wednesday of May</td>
<td>May 2, 2018</td>
</tr>
<tr>
<td>Filing with Secretary of amended petition, with certificate from the Attorney General that the amendment does not materially change the substance of the measure</td>
<td>Before the 1st Wednesday of June</td>
<td>June 5, 2018</td>
</tr>
<tr>
<td>Collection and filing of additional signatures with local registrars for certification</td>
<td>After the 1st Wednesday of May and by 14 days before the 1st Wednesday of July</td>
<td>June 19, 2018**</td>
</tr>
<tr>
<td>Filing with Secretary of additional signatures to put petition on ballot if General Court fails to enact Measure</td>
<td>Not before the 1st Wednesday of June and by the 1st Wednesday of July</td>
<td>June 7, 2018 July 3, 2018**</td>
</tr>
<tr>
<td>STATE ELECTION DAY</td>
<td>1st Tuesday after the 1st Monday in November</td>
<td>November 6, 2018</td>
</tr>
</tbody>
</table>
Ballot Questions

THE COMMONWEALTH OF MASSACHUSETTS
AN INITIATIVE PETITION FOR A LAW

Under Article XLVIII of the Amendments to the Constitution of the Commonwealth

SUMMARY

This proposed law would prohibit any farm owner or operator from knowingly confining any breeding pig, calf raised forveal, or egg-laying hen in a way that prevents the animal from being able, standing, feeding, or turning around freely. The proposed law would also prohibit any business owner or operator in Massachusetts from selling whole eggs incubated for hatchery circumstances or any assembled out of raw or perk of the business owner or operator licensed as should know that the hen, breeding pig or calf cull produced through these methods are verified in a manner prohibited by the proposed law. The proposed law would exempt raisers of products that combine veal or perk with other products, including sausages, sandwiches, pizzas, boudin or similar prepared food items.

The proposed law’s confinement prohibitions would not apply during transportation; near and during any event for exhibition; 60 days before or after the date of the final examination; 60 days before any application to sell hens, eggs, or products; 60 days before or after the date of a local election; and 60 days before or after the date of a state election.

The proposed law would not extend to non-caged hens, the sale of chicken eggs or meat, or any event that falls on any date that is a local election day or a state election day.

PROVISIONS OF THE INITIATIVE

I. SIGNATURE

Each person who intends to sign the initiative petition must sign it in person. No one may act as a proxy or substitute for another person unless the proxy letter is signed by the person who is to be represented.

II. SIGNING LOCATION

Petitioners must sign the initiative petition at the address provided in the petition.

III. SIGNING TEMPLATE

The initiative petition must be signed in the following manner:

"I, (signature), do hereby petition the legislature of the Commonwealth of Massachusetts to propose an amendment to the Constitution of the Commonwealth of Massachusetts, and the initiative provisions of this amendment shall take effect if it is approved by the voters of this Commonwealth at a general election held on the date of its filing, or if it is approved at a referendum election called for the purpose of approving or disapproving the amendment."
Ballot Questions

CITIZENS FOR FARM ANIMAL PROTECTION
PO BOX 470857
BROOKLINE, MA 02447
Ballot Questions

YES ON 3
PREVENT ANIMAL CRUELTY
The Road to the Ballot – Voter Engagement
The Road to the Ballot – Voter Engagement
EDITORIAL

Endorsement: Yes on Question 3

The Boston Globe
Charlie Baker plans to vote yes on Question 3, Massachusetts's farm animal protection ballot measure.
The Road to the Ballot – Amplifying the Conversation

Farming past motivates Billerica resident on Question 3 push

Having grown up on a farm, it only seems natural Billerica-resident DeeDe…
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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>David M. Rogers</td>
<td>24th Middlesex</td>
</tr>
<tr>
<td>Chris Walsh</td>
<td>6th Middlesex</td>
</tr>
<tr>
<td>Denise Provost</td>
<td>27th Middlesex</td>
</tr>
</tbody>
</table>

1 Laws is hereby amended by adding the
An Act to Prevent Cruelty to Farm Animals

Covered animals:
An Act to Prevent Cruelty to Farm Animals

Prohibitions:

(1) Confining any covered animal “in a cruel manner”

- **Confined in a cruel manner** – prevent from lying down, standing up, fully extending the animal’s limbs, or turning around freely

- **Fully extending limbs** –
  - Extend all limbs without touching sides of enclosure
  - Egg-laying hens - fully spread both wings without touching enclosure’s sides AND have access to 1.5 square feet of usable floor space per hen
Prohibitions:

(2) Selling within the state:

• Shell eggs from a covered animal confined in a cruel manner
• Whole veal meat from a covered animal confined in a cruel manner
• Whole pork meat from a covered animal that was confined in a cruel manner, or her immediate offspring
An Act to Prevent Cruelty to Farm Animals

- Enforced by the state attorney general
- $1,000 civil penalty for each violation
- Rules and regulations before Jan. 1, 2020
- Effective in 2022
Challenges

Infrastructure

Media messaging

Cost
  • Ballot questions aren’t cheap
  • Potency of opposition spending

Legislative Pushback

Legal Challenges
  • During and after
Far Enough?

AN HISTORIC DAY FOR ANIMALS

BAY STATE GOES CAGE FREE!

LIKE & SHARE

#STOPCRUELTYMA

YES ON 3 PREVENT ANIMAL CRUELTY

Thank you for your vote!