HOUSE DOCKET, NO. 2541 FILED ON: 1/20/2011

HOUSE . . . . . No. 1997

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 passage of the accompanying:

An Act to provide for the statewide conservation of inland fisheries and wildlife.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anne M. Gobi	*5th Worcester*
Todd M. Smola	*1st Hampden*
Geraldo Alicea	*6th Worcester*

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HOUSE . . . . . No. 1997

By Ms. Gobi of Spencer, a petition (accompanied by bill, House, No. 1997) of Anne M. Gobi, Todd M. Smola and Geraldo Alicea relative to the powers of the Division of Fisheries and Wildlife. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *737* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act to provide for the statewide conservation of inland fisheries and wildlife.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section one of Chapter 131 of the General Laws, as appearing in the 1994 Official Edition, is hereby amended by adding the following first paragraph:---

The Massachusetts Division of Fisheries and Wildlife has exclusive authority concerning the taking, possession, and management of wildlife and inland fisheries in the Commonwealth. No political subdivision may adopt a restriction expressly affecting the taking of wildlife or inland fish species which are under the jurisdiction of the Massachusetts Division of Fisheries and Wildlife, as defined in Chapter 21, the third paragraph of section two of Chapter 21A, Chapter 131, Chapter 131A, and other General Laws or any rules and regulations issued under authority thereof, except that: any proposed ordinance, bylaw, or regulation of any state agency or political subdivision which affects the wildlife and fisheries activities and regulations of the Massachusetts Division of Fisheries and Wildlife by restricting or zoning any type of fishing or wildlife taking or management shall be submitted to the Fisheries and Wildlife Board for consultation and approval or disapproval. Upon such approval by the Board such proposal, or such proposal as it may be amended by mutual agreement, shall become part of and enforced as part of the Division of Fisheries and Wildlife regulations. If disapproved, the entity so denied approval may within 30 days appeal to the Fisheries and Wildlife Board, who shall, after hearing all the facts, render their final determination no later than 60 days from the date such appeal is heard. Nothing in this section shall serve to limit the authority of state agencies and political

19 subdivisions to control any form of wildlife taking on lands they own or lease as defined in
20 section 59 of this chapter.