HOUSE DOCKET, NO. 3307 FILED ON: 2/18/2011

HOUSE . . . . . No. 3352

The Commonwealth of Massachusetts

PRESENTED BY:

Paul McMurtry

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 relative to beaver dam emergencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul McMurtry	*11th Norfolk*
Michael O. Moore	☐ *[District]* ☐
Brian M. Ashe	*2nd Hampden*

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By Mr. McMurtry of Dedham, a petition (accompanied by bill, House, No. 3352) of Paul McMurtry, Michael O. Moore and Brian M. Ashe for legislation to facilitate the issuance of trapping permits to alleviate beaver dam emergencies. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to beaver dam emergencies.

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

SECTION 1. Section 80A of chapter 131 of the general laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 12, the words "federal and state departments of health or municipal boards of health" and inserting in place thereof the following word:- the department.

SECTION 2. Said section 80 of said chapter 131, as so appearing, is hereby further amended by striking out, in lines 44 to 46, the words "municipal board of health, its chair or agent or the state or federal department of health" and inserting in place thereof the following word:- department.

SECTION 3. Said section 80 of said chapter 131, as so appearing, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

An applicant or his duly authorized agent may apply to the department for an emergency permit to immediately alleviate a threat to human health and safety, as defined in the previous paragraph. If the department determines that such a threat exists, it shall immediately issue said emergency permit to alleviate the existing threat to human health and safety, for a period not exceeding 10 days. If denied, the applicant or his duly authorized agent may appeal said emergency permit application to the director. If the director determines that such a threat exists, it shall immediately issue said emergency permit to alleviate the existing threat to human health and safety, for a period not exceeding 10 days.

SECTION 4. Said section 80 of said chapter 131, as so appearing, is hereby further amended by striking out, in lines 71 to 72, inclusive, the words "in conjunction with the municipal board of health".

23 SECTION 5. Said section 80 of said chapter 131, as so appearing, is hereby further
24 amended by striking out, in line 81, the words “municipal board of health and municipal
25 conservation commission”.

26 SECTION 6. Said section 80 of said chapter 131, as so appearing, is hereby further
27 amended by striking out, in line 84 to 85, the words “subject to the determinations and conditions
28 of municipal conservation commissions under section 40”.

29 SECTION 7. Said section 80 of said chapter 131, as so appearing, is hereby further
30 amended by striking out, in line 90, the words “municipal board of health” and inserting in place
31 thereof the following word:- department.