

**HOUSE . . . . . No. 01132**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Robert F. Fennell***

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*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 bill:

An Act providing for more efficient wetlands.

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PETITION OF:

NAME:

*Robert F. Fennell*

DISTRICT/ADDRESS:

*10th Essex*

# HOUSE . . . . . No. 01132

By Mr. Robert F. Fennell of Lynn, petition (accompanied by bill, House, No. 01132) of Robert F. Fennell relative to providing for more efficient wetlands. Joint Committee on Environment, Natural Resources and Agriculture.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act providing for more efficient wetlands.

*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. Section 8C of Chapter 40 of the General Laws, as appearing in the 2008 Official  
2 Edition, is hereby amended by adding the following paragraph:—  
3 A conservation commission may administer and enforce a local wetlands ordinance or by-law  
4 that is adopted by a municipality, only to the extent that it imposes standards or other  
5 requirements that are more stringent than or otherwise exceed those set forth in section 40 of  
6 chapter 131 and the department of environmental protection regulation promulgated pursuant to  
7 said section 40, and only if, prior to adoption by a municipality, the department of environmental  
8 protection shall review and approve any such proposed local wetlands ordinance or by-law based  
9 upon findings that the proposed ordinance or by-law has a generally recognized scientific basis,  
10 is a recommended best management practice technique, and is warranted given the unique

11 resources that the local ordinance or by-law identifies as being in need of special or enhanced  
12 protection in that municipality.

13 SECTION 2. Ordinances or by-laws effective as of the date of this act shall be enforceable to the  
14 extent allowed by section 1, provided that, within one year from the effective date of this act, the  
15 department of environmental protection makes the findings set forth in section 1 with respect to  
16 the particular ordinance or bylaw and municipality in question.