

HOUSE No. 03352

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 bill:

An Act relative to beaver dam emergencies.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Brian Ashe

2nd Hampden

Michael O. Moore

Second Worcester

Paul McMurtry

11th Norfolk

HOUSE No. 03352

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

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

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

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

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

10 An applicant or his duly authorized agent may apply to the department for an emergency permit
11 to immediately alleviate a threat to human health and safety, as defined in the previous

12 paragraph. If the department determines that such a threat exists, it shall immediately issue said
13 emergency permit to alleviate the existing threat to human health and safety, for a period not
14 exceeding 10 days. If denied, the applicant or his duly authorized agent may appeal said
15 emergency permit application to the director. If the director determines that such a threat exists,
16 it shall immediately issue said emergency permit to alleviate the existing threat to human health
17 and safety, for a period not exceeding 10 days.

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

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

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

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