

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Mr. Brewer**

*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 the statewide conservation of inland fisheries and wildlife.

PETITION OF:

NAME:

Mr. Brewer

DISTRICT/ADDRESS:

Worcester, Hampden, Hampshire and Franklin

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S00479 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT PROVIDING 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:*

1 SECTION 1. Section one of Chapter 131 of the General Laws, as appearing in  
2 the 1996 Official Edition, is hereby amended by adding the following first paragraph: -  
3 The Massachusetts Division of Fisheries and Wildlife has exclusive authority concerning the  
4 taking, possession, and management of wildlife and inland fisheries in the Commonwealth. No  
5 political subdivision may adopt a restriction expressly affecting the taking of wildlife or inland  
6 fish species, which are under the jurisdiction of the Massachusetts Division of Fisheries and  
7 Wildlife, as defined in Chapter 21, the third paragraph of section two of Chapter 21A, Chapter  
8 131, Chapter 131A, and other General Laws or any rules and regulations issued under authority  
9 thereof, except that: any proposed ordinance, bylaw, or regulation of any state agency or political  
10 subdivision which affects the wildlife and fisheries activities and regulations of the

11 Massachusetts Division of Fisheries and Wildlife by restricting or zoning any type of fishing or  
12 wildlife taking or management shall be submitted to the Fisheries and Wildlife Board for  
13 consultation and approval or disapproval. Upon such approval by the Board, such proposal, or  
14 such proposal as it may be amended by mutual agreement, shall become part of and enforced as  
15 part of the Division of Fisheries and Wildlife Regulations. Nothing in this section shall serve to  
16 limit the authority of state agencies and political subdivisions to control any form or wildlife  
17 taking on lands they own or lease as defined in section 59 of this Chapter.