

HOUSE No. 849

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act establishing an Environmental Appeals Panel within the Division of Administrative Law Appeals..

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. Subsection (a)(9) of section 1 of Chapter 41 of the Acts of 2003 is hereby
2 repealed.

3 SECTION 2. Chapter 7 of the General Laws, as appearing in the 2004 Official Edition, is
4 hereby amended by adding, after Section 4H, the following section:—

5 Section 4H½. There shall be within the division of administrative law appeals, and under
6 the direction and supervision of its chief administrative magistrate, an environmental appeals
7 panel consisting of no fewer than five administrative magistrates appointed by said chief
8 administrative magistrate, who shall serve as professional employees as defined by Chapter 150E
9 and not as confidential employees. The panel members shall be initially the administrative
10 magistrates who, as of November 1, 2006, occupied the positions that were transferred on
11 January 20, 2004 from the office of administrative appeals of the executive office of
12 environmental affairs to the division of administrative law appeals.