

SENATE No. 373

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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
4 the taking, possession, and management of wildlife and inland fisheries in the Commonwealth.
5 No political subdivision may adopt a restriction expressly affecting the taking of wildlife or
6 inland fish species, which are under the jurisdiction of the Massachusetts Division of Fisheries
7 and Wildlife, as defined in Chapter 21, the third paragraph of section two of Chapter 21A,
8 Chapter 131, Chapter 131A, and other General Laws or any rules and regulations issued under
9 authority thereof, except that: any proposed ordinance, bylaw, or regulation of any state agency
10 or political 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.