

**SENATE . . . . . No. 392**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to the feeding of 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. Chapter 131 of the General Laws is hereby amended by adding the  
2 following section:-

3           Section 25D. The director, with the approval of the fisheries and wildlife board, may  
4 make such rules and regulations relating to the direct or indirect feeding of birds and mammals  
5 as he shall deem necessary and expedient. For the first offense thereof, a person shall be notified  
6 in writing by the director or an environmental police officer. Whenever a person has been so  
7 notified and commits a subsequent offense, it shall be prima facie evidence that the offense was  
8 done with the knowledge and consent of such person, who shall be punished as provided in  
9 section 10H of chapter 21A of the General Laws.

10           SECTION 2. Section 10H of chapter 21A of the General Laws is hereby amended by  
11 adding, after the seventh paragraph, the following:-

12           A person notified to appear before the clerk of a district court as provided in said section  
13 10G for a second violation of section 25D of chapter 131 may so appear and pay a fine of \$50.

- 14 A person notified to so appear as provided in said section 10G for a third or subsequent violation
- 15 of section 25D of chapter 131 of the General Laws may so appear and pay a fine of \$100.