

HOUSE No. 3623

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus and Viriato M. deMacedo

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 adoption of the accompanying bill:

An Act authorizing permitting by the Massachusetts Department of Fish and Game.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>3/17/2015</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>3/24/2015</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>3/23/2015</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>	<i>3/25/2015</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>3/24/2015</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/23/2015</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>3/23/2015</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>3/23/2015</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>	<i>3/23/2015</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>3/24/2015</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>3/24/2015</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>3/23/2015</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>3/19/2015</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>3/23/2015</i>

HOUSE No. 3623

By Representative Straus of Mattapoisett and Senator deMacedo, a joint petition (subject to Joint Rule 12) of William M. Straus, Viriato Manuel deMacedo and others relative to capturing and trapping furbearing mammals. House Rules.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing permitting by the Massachusetts Department of Fish and Game.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 131 of the General Laws, as appearing in the 2012 Official Edition, is hereby
2 amended by striking section 80A in its entirety and inserting in place thereof the following
3 section:-

4 Section 80A. Notwithstanding any other provision of this chapter, a person shall not use,
5 set, place, maintain, manufacture or possess any trap for the purpose of capturing furbearing
6 mammals, except nets, box or cage type traps, or quick kill traps as otherwise permitted by law.

7 A box or cage type trap is one that confines the whole animal without grasping any part of the
8 animal, including Hancock or Bailey’s type live trap for beavers. Traps designed to capture and
9 hold a furbearing mammal by gripping the mammal’s body, or body part are prohibited,
10 including steel jaw leghold traps, padded leghold traps, and snares.

11 No person shall, after September 1, 2015, use, set, or place a trap unless such person has
12 received training in their proper use, as prescribed by the director in regulation, unless such

13 person has completed a trapper training course and been issued a certificate of completion of
14 such training, or unless such person has been issued a resident or non-resident Massachusetts
15 trapping license or trap registration certificate and shall prove the same to the satisfaction of the
16 Director.

17 The Director shall establish regulations on the size, placement, and use of traps as
18 described in the Best Management Practices established by the Association of Fish and Wildlife.

19 The division shall provide a report annually to the joint committee on natural resources
20 and agriculture on the creation, implementation and efficiency of such animal problem plans.

21 Whoever violates any provisions of this section, or any rule or regulation made under the
22 authority thereof, shall be punished by a fine of not less than \$300 nor more than \$1,000, or by
23 imprisonment for not more than six months, or by both such fine and imprisonment for each trap
24 possessed, used, set, placed, maintained, or manufactured. Each day of violation shall constitute
25 a separate offense. A person found guilty of, or convicted of, or assessed in any manner after a
26 plea of nolo contendere, or penalized for, a second violation of this section shall surrender to an
27 officer authorized to enforce this chapter any trapping license and problem animal control permit
28 issued to such person and shall be barred forever from obtaining a trapping license and a problem
29 animal control permit.