

HOUSE No. 408

The Commonwealth of Massachusetts

PRESENTED BY:

Gailanne M. Cariddi

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 relative to the feeding of wildlife.

PETITION OF:

NAME:

Gailanne M. Cariddi

DISTRICT/ADDRESS:

1st Berkshire

HOUSE No. 408

By Ms. Cariddi of North Adams, a petition (accompanied by bill, House, No. 408) of Gailanne M. Cariddi relative to the feeding of wildlife. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 636 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 inserting after
2 section 25C the following section:-

3 Section 25D. The director, with the approval of the fisheries and wildlife board, shall
4 adopt regulations in accordance with the provisions of chapter 30A, relating to the direct or
5 indirect feeding of birds and mammals, excluding feral cats, on land as he shall consider is
6 necessary and proper.

7 A person who violates a regulation adopted under this section, shall for the first offense
8 receive a written warning of such violation by the director or an environmental police officer.

9 Whenever such person has been so notified of said first offense and commits a subsequent
10 offense, it shall be prima facie evidence that the offense was done with the knowledge and

11 consent of such person, who shall be punished by a non-criminal penalty as provided under
12 section 10H of chapter 21A .

13 This section shall not apply to the feeding of birds or mammals on land by an owner or
14 tenant of such land or, by a person who has the permission of an owner or tenant of such land to
15 feed birds or mammals.

16 SECTION 2. Section 10H of chapter 21A of the General Laws, as appearing in the
17 2012 Official Edition, is hereby amended by inserting , after the eleventh paragraph, the
18 following paragraph:-

19 A person who is notified to appear before the clerk of a district court as provided in said
20 section 10G for a second violation of section 25D of chapter 131 may so appear and pay a civil
21 penalty of \$50. A person notified to so appear as provided in said section 10G for a third or
22 subsequent violation of section 25D of chapter 131 of the General Laws may so appear and pay a
23 civil penalty of \$100.