

HOUSE No. 834

By Mr. Peterson of Grafton, petition of George N. Peterson, Jr., and Paul K. Frost for legislation to further regulate the trapping of fur-bearing animals. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT SAFEGAURDING OUR NATURAL RESOURCES.

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 Massachusetts General Laws, as appearing in
2 the 2002 Official Edition, is hereby amended by striking Section
3 80A in its entirety and inserting in place thereof the following:—

4 Section 80A. Notwithstanding any other provision of this of this
5 chapter, a person shall not use, set, place, maintain, manufacture or
6 possess any trap for the capture of fur bearing mammals, except for
7 box or cage traps, nets, and traps designed to kill such mammals
8 including common type mouse and rat traps, mole traps, and
9 conibear type or other body gripping straps, as otherwise permitted
10 by law. A box or cage type trap is one that confines the whole
11 animal without grasping any part of the animal, including so-called
12 Hancock or Bailey type traps for beaver. Steel jaw foothold traps,
13 padded jaw foothold traps, and snares are expressly prohibited.

14 The above provision shall not apply to the use of prohibited
15 devices by federal and state departments of health for the purpose of
16 protection from threats to human health and safety.

17 Whoever violates any provisions of this section, or any rule or
18 regulation made under the authority thereof, shall be punished by a
19 fine of not less than \$300 nor more than \$1000, or by imprisonment
20 for each trap possessed, used, set, maintained, or manufactured.

21 Each day of violation shall constitute a separate offense. A person
22 found guilty of, or convicted of, or assessed in any manner after a
23 plea of nolo contendere, or penalized for, a second violation of this
24 section shall surrender to an officer empowered to enforce this

25 chapter any trapping license and problem animal control permit
26 issued to such person and shall be barred forever from obtaining a
27 trapping license and a problem animal control permit.