

HOUSE No. 888

By Mr. Wallace of Boston, petition of Brian P. Wallace relative to establishing an environmental appeals panel within the Division of Administrative Law Appeals. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING AN ENVIRONMENTAL APPEALS PANEL WITHIN THE DIVISION OF ADMINISTRATIVE LAW APPEALS.

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. Subsection (a)(9) of Section 1 of Chapter 41 of the
2 Acts of 2003 is hereby repealed.

1 SECTION 2. Chapter 7 of the General Laws, as appearing in the
2 2004 Official Edition, is hereby amended by adding, after Section
3 4H, the following section—

4 Section 4H½. There shall be within the division of administrative
5 law appeals, and under the direction and supervision of its chief
6 administrative magistrate, an environmental appeals panel consisting
7 of no fewer than five administrative magistrates appointed by said
8 chief administrative magistrate, who shall serve as professional
9 employees as defined by Chapter 150E and not as confidential
10 employees. The panel members shall be initially the administrative
11 magistrates who, as of November 1, 2006, occupied the positions
12 that were transferred on January 20, 2004 from the office of admin-
13 istrative appeals of the executive office of environmental affairs to
14 the division of administrative law appeals.