

HOUSE No. 849

By Mr. Wallace of Boston, a petition (accompanied by bill, House, No. 849) of Brian P. Wallace and another relative to establishing an environmental appeals panel within the Division of Administrative Law Appeals, Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

PRESENTED BY:
Brian P. Wallace

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 passage of the accompanying bill:
An Act establishing an Environmental Appeals Panel within the Division of Administrative Law Appeals.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-------------------|---|
| Brian P. Wallace | 4th Suffolk |
| Michael J Donovan | Suffolk Superior Court Clerk, Civil Business Boston, MA 02108 |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 888 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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**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 Subsection (a)(9) of section 1 of Chapter 41 of the Acts of 2003 is hereby repealed.

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

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