

## **FMDAC Response to the Massachusetts Metal Law Change**

We have recently learned of a new pending closure in Massachusetts. Metal detecting on state property (actually the peoples property) is about to be banned. Up to this point it has been allowed on a site by site basis. That is all about to change.

Here is the new wording of the proposed change. (23) Special Use Permit Required. Unless authorized by a special use permit issued in accordance with 302 CMR 12.17(2), no person may: h. Use or offer for use metal detectors, except with permission from DCR personnel, for the purposes of locating lost personal property.

To be fair this is not a specific targeted attack on metal detecting. It is a rewrite of the entire Parks and Recreation rules. There are apparently many items that have been changed. Metal detecting is one of the many. There was an open comment period and some public meetings but the fact that the metal detecting rules were being changed was not known at the time. A synopsis of the changes should be published in cases like this so everyone knows what is being altered without having to check every word of documents. But that is not the case. We are forced to fight this from behind.

Here is what it previously read.

304 CMR 12.11 (3) No person shall use or offer for use metal detectors on Department property except at the discretion of the Area Supervisor on designated swimming beaches and designated campsites.

The situation went from limited detecting to no detecting. This was discovered when someone was stopped from hunting in an area where it has been allowed even though the rule is not in effect yet. There is an online petition that you may have seen. My feeling is that personal contact goes further then petitions. That advice actually comes from someone who served 16 years in a state legislature.

The best way is a ½ to ¾ page hand written letter. Here is the Massachusetts Department of Conservation and Recreation Commissioners contact info. Let him know your feeling on this issue.

Jack Murray Commissioner  
Department of Conservation and Recreation  
251 Causeway St., Suite 900  
Boston, MA 02114-2104  
Phone: 617-626-1250  
Fax: 617-626-1351  
E-Mail: [mass.parks@state.ma](mailto:mass.parks@state.ma)

Just today I received notice that the person, Roger Barbrick, who started the online petition has spoken to someone in the department. It was stated that it was not their intention to ban detecting. The official said he will discuss the matter with the commissioner. So make your contacts asap. Be polite and informative. Get involved and take action. It may be coming to your neighborhood next!

Mark Schuessler  
FMDAC President