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By Mr. Edward J. Kelley of Worcester, petition of Edward J. Kelley that the authority of the Governor and Council be increased with reference to suspension or continuance of open seasons on birds, fish and mammals. Conservation.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Thirty-Six.

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An Act increasing the Authority of the Governor and Council to Suspend the Opening or Continuance of Open Seasons on Birds, Fish or Mammals.

*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 eighty-one of chapter one hundred and  
2 thirty-one of the General Laws, as appearing in the  
3 Tercentenary Edition, is hereby amended by striking  
4 out, in the first and second lines, the words "by reason  
5 of extreme drought there is danger of fires resulting"  
6 and inserting in place thereof the following: — because  
7 of extreme drought and ensuing fire hazard or because  
8 of any other unusual conditions the public safety may  
9 be endangered, — and by striking out, in the seven-  
10 tenth and eighteenth lines, the words "fire hazard  
11 is" and inserting in place thereof the following: —  
12 conditions endangering the public safety are, — so

13 that the first paragraph will read as follows:—  
14 Whenever it shall appear to the governor that because  
15 of extreme drought and ensuing fire hazard or because  
16 of any other unusual conditions the public safety may  
17 be endangered from hunting, trapping, fishing or  
18 other cause, he may, with the advice and consent of  
19 the council, by proclamation suspend the opening or  
20 continuance of any or all open seasons established by  
21 this chapter, or any authorized extension thereof, and  
22 proclaim a close season on any or all birds, fish or  
23 mammals, for such time as he may therein designate,  
24 and may therein prohibit hunting, trapping, fishing  
25 and the possession of firearms on property of another  
26 during the same time, and he may, by the same  
27 or another proclamation and with like advice and  
28 consent, proclaim that any or all sections of the  
29 woodlands in the commonwealth where danger of  
30 fire might exist shall be closed for such time as he may  
31 therein designate to hunters, trappers, fishermen and  
32 such other persons as he deems proper under the  
33 circumstances, except the owners or tenants of such  
34 property and their agents and employees, or persons  
35 holding written permission from any such owner or  
36 tenant to enter thereon for any lawful purpose other  
37 than hunting, trapping or fishing. As soon as the  
38 conditions endangering the public safety are deemed  
39 to be over the governor, for the purpose of providing  
40 just and reasonable facilities for hunting, trapping  
41 and fishing, in like manner and with like advice and  
42 consent, may extend any such open season for a  
43 period or periods not exceeding, in the aggregate,  
44 the time of such suspension, and if by reason of any  
45 such extension such open season in whole or in part

46 coincides with any other open season in such manner  
47 as to cause any conflict in the laws relating thereto,  
48 he may in like manner and with like advice and con-  
49 sent postpone such other open season for such time as  
50 may be necessary to avoid such conflict.

