

Accompanying the seventh recommendation of the Division of Fisheries and Wildlife (House, No. 91). Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Nine.

AN ACT AMENDING CERTAIN LAWS RELATIVE TO REPTILES AND AMPHIBIANS.

*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. Section 4 of Chapter 131 is hereby amended by  
2 striking subsection (3) and replacing it with the following: (3)  
3 investigate questions relating to reptiles, amphibians, fish, birds or  
4 mammals and, personally or by agents, institute and conduct  
5 inquiries pertaining to such questions and conduct such biological  
6 research as will, in his opinion, tend to conserve, improve and  
7 increase the supply of reptiles, amphibians, fish, birds and mam-  
mals;

1 SECTION 2. Section 5 of Chapter 131 is hereby amended by  
2 striking paragraphs one and five and inserting in their place the  
3 following:

4 The director shall declare an open season on reptiles,  
5 amphibians, fish, birds or mammals in any county where such  
6 open season seems advisable, and may make rules and regulations  
7 relating to the time and length of such open season, bag limits,  
8 possession limits, methods of taking, time and methods of report-  
9 ing and all other matters pertaining to such open season as he may  
10 deem necessary and expedient, and may suspend or modify the  
11 open season whenever in his opinion such action becomes  
12 necessary.

13 Except as provided in rules and regulations made under authori-

14 ty of this section, and except as otherwise provided in this chapter,  
15 a person shall not fish, hunt or trap or have in his possession any  
16 reptiles, amphibians, fish, bird, mammal or carcass or part thereof,  
17 but this section shall not be construed to prohibit the hunting,  
18 taking or possession of any English sparrow, Norway rat,  
19 Rockdove (Common Pigeon), starling, chipmunk, flying squirrel,  
20 red squirrel, porcupine, skunk, weasel or woodchuck whenever  
21 such hunting, taking or possession is otherwise lawful.