

By Mr. Waterous of Pepperell, petition of Charles L. McLaughlin that the Director of the Division of Fisheries and Game be authorized to issue permits for commercial shooting preserves. Natural Resources.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT AUTHORIZING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME TO ISSUE PERMITS FOR COMMERCIAL SHOOTING PRESERVES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 131 of the General Laws is hereby amended by adding the following sections: —

3 *Section 1.* The director of the division of fisheries and game is
4 hereby authorized to issue permits for the operation of commercial
5 shooting preserves in the counties of Norfolk, Middlesex and
6 Plymouth. Any individual, firm, association or corporation desiring
7 to operate a commercial shooting preserve must first make
8 application on forms provided by the division of fisheries and
9 game. The director may, upon receipt of the required fee of
10 fifty dollars and under the following conditions, issue to the
11 applicant a commercial shooting preserve permit when in his
12 opinion (a) the operation of such shooting preserve will not conflict
13 with prior reasonable public interests; (b) the size of the
14 preserve to be established as a shooting preserve is not less than
15 one hundred acres nor more than five hundred acres and is contained
16 in one continuous block; and (c) the applicant can produce
17 satisfactory evidence of his ability to raise or purchase for
18 liberation at least two hundred pheasants or other non-native
19 game birds for each one hundred acres of shooting preserve.

20 The applicant must release not less than two hundred birds per
21 one hundred acres of shooting preserve annually between the
22 fifteenth day of September and the thirty-first day of March.
23 The number of birds authorized to be taken by shooting shall not
24 exceed seventy-five per cent of the total number of birds released.

25 *Section 2.* The boundary of each commercial shooting pre-
26 serve shall be marked by a single strand of number 12 wire (or
27 larger) or other fence and shall be posted with printed notices
28 not more than one hundred and fifty feet apart supplied by the
29 division of fisheries and game to the permittee at a reasonable
30 cost.

31 *Section 3.* Notwithstanding any provision of this chapter to
32 the contrary, commercial shooting preserve permits shall entitle
33 the holder or holders thereof and their guests to kill or take on
34 such preserves, by shooting only, pheasants, quail, chukar par-
35 tridges, Hungarian partridges, domestic ducks as defined by the
36 United States Fish and Wildlife Service, or other non-native
37 game birds without regard to sex or bag limits from September
38 fifteenth to March thirty-first, inclusive, except Sundays.

39 *Section 4.* Before any propagated or released bird killed under
40 the provisions of this regulation shall be consumed on the
41 premises or removed therefrom, the permittee shall attach a tag
42 to each bird killed. Such tags are to be numbered consecutively
43 and are to be supplied by the division at a reasonable cost to
44 the permittee. These tags shall remain attached to the in-
45 dividual bird until prepared for consumption and shall not be
46 used more than once, but be immediately destroyed on removal.

47 *Section 5.* Every person hunting on such commercial shoot-
48 ing preserves or participating in a shoot held under a commercial
49 shooting preserve permit, shall be possessed of a resident or
50 non-resident hunter's license for the current year as required by
51 law.

52 *Section 6.* The permittee shall maintain a daily record bearing
53 the name, address and hunting license number of each hunter
54 using the preserve, also the numbers and species of birds released
55 and killed, and shall make this record available to any au-
56 thorized division employee upon request.

57 *Section 7.* Authorized employees of the division shall be per-
58 mitted to enter the premises at reasonable times for inspection
59 or for scientific investigation.

60 *Section 8.* Permits to operate commercial shooting preserves
61 may be revoked by the director of the division of fisheries and
62 game at any time for violation of any provision of these or sub-
63 sequent regulations or terms of the permit.

64 *Section 9.* The director may make such further rules and
65 regulations relating to commercial shooting preserves as he may
66 deem necessary and expedient, and may alter, amend or repeal
67 the same. Such rules and regulations shall be subject to the
68 approval of the fish and game board,

The first of these is the fact that the
 language of the constitution is not
 clear and unambiguous. It is
 often difficult to determine the
 true meaning of the words used.

The second is the fact that the
 constitution is not a single document
 but a collection of many different
 parts which have been added
 at different times and in
 different ways.

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