

HOUSE No. 4892

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 31, 1967.

The committee on Natural Resources, to whom was recommitted the petition (accompanied by bill, House, No. 1483) of James M. Shepard that the Director of Fisheries and Game be authorized to appoint agents to issue certain licenses, report the accompanying bill (House, No. 4892).

For the committee,

MATTHEW J. KUSS.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE DIRECTOR OF FISHERIES AND GAME TO APPOINT AGENTS TO ISSUE CERTAIN LICENSES.

*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. The first sentence of section 6 of chapter 131 of
2 the General Laws, as amended by chapter 545 of the acts of
3 1949, is hereby further amended by inserting after the word
4 "director", in line 6, the words:—, the clerk of any city or
5 town, persons employed in the department of natural
6 resources, the department of commerce and the division of
7 fisheries and game authorized by the director to issue such
8 licenses and such other persons authorized by the director to
9 issue such licenses at their place of business located outside
10 the commonwealth provided such persons are duly bonded.

1 SECTION 2. The first paragraph of section 7 of said chapter
2 131, as amended by section 1B of chapter 688 of the acts of
3 1957, is hereby further amended by inserting after the word
4 "clerk", in lines 6 and 12, in each instance, the words:—or
5 any person duly authorized under the provisions of section
6 six,—and by striking out, in line 28, the words "or the
7 director" and inserting in place thereof the words:—, the
8 director or any person duly authorized under the provisions
9 of section six.

1 SECTION 3. Said chapter 131 is hereby further amended by
2 striking out section 11, as appearing in section 2 of chapter
3 599 of the acts of 1941, and inserting in place thereof the
4 following section:—

5 *Section 11.* Any city or town clerk or any person duly
6 authorized by the director to issue such licenses at their place

7 of business located outside the commonwealth may, except as
8 otherwise provided by law, retain for his own use twenty-five
9 cents from the fee for each such license; provided, that if no
10 fee is required to be paid for the issuance of a license, or in
11 the case of the issuance of a duplicate license, the clerk or
12 agent shall make no charge for the issuance thereof or retain
13 no part of the fee therefor, as the case may be; and further
14 provided, that where the issuing officer is a state officer or
15 employee, he shall not retain any part of such fee.

1 SECTION 4. Section 12 of said chapter 131, as so appearing,
2 is hereby amended by inserting after the word "town", in line
3 3, the words:—or any person duly authorized under the
4 provisions of section six.

1 SECTION 5. Said chapter 131 is hereby further amended by
2 striking out section 13, as so appearing, and inserting in place
3 thereof the following section:—

4 *Section 13.* The director, the clerk of every city and town
5 and any person authorized under the provisions of section six
6 shall make a record, in books kept therefor, of all licenses
7 issued by them, respectively, and shall date each license as of
8 the date of issue; and, except as hereinafter provided, no
9 other date shall be placed on such license. Such books shall be
10 supplied by the director, shall be the property of the com-
11 monwealth, shall be open to public inspection during the
12 usual office or business hours of the issuing officer and shall be
13 subject at all times to audit and inspection by the director,
14 the state auditor, the comptroller or their respective desig-
15 nees. Every such issuing officer shall, on the first Monday of
16 each month, pay to the division all monies received by him
17 for licenses issued during the month preceding, except the
18 fees retained under section eleven. All such remittances shall
19 be by check, United States post office money order, express
20 money order, or in lawful money of the United States.
21 Persons authorized under the provisions of section six who
22 are not employees of the commonwealth, shall furnish the
23 commonwealth with a surety bond in the amount of two thou-
24 sand dollars principal sum for the faithful performance of his

25 duties and with sureties satisfactory to the director. Every
26 clerk or person authorized under the provisions of section six
27 shall, within thirty days next succeeding January first in each
28 year, return to the division all license books received during
29 the year preceding, including all stubs and void and unused
30 licenses. Any such clerk or agent violating any provision of
31 this section shall be punished by a fine of not less than fifty
32 nor more than five hundred dollars, or by imprisonment for
33 not less than one month nor more than one year, or both.

34 Nothing herein shall be construed to prohibit the sale of
35 licenses during the month of December in any year to be
36 valid for use only on and after January first next succeeding.
37 Any license so sold shall have the date of sale endorsed
38 thereon.