

teen hundred and seventy-nine.

Approved November 14, 1979.

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Chap. 766. AN ACT EXEMPTING THE POSITION OF HEAD ADMINISTRATIVE ASSISTANT TO THE PUBLIC ACCESS BOARD FROM THE PROVISIONS OF CIVIL SERVICE.

Be it enacted, etc., as follows:

Item 2320-0100 of section 2 of chapter 393 of the acts of 1979 is hereby amended by striking out the wording and inserting in place thereof the following:- For the maintenance, operation, acquisition and improvement of public access land and water areas, as authorized by section seventeen A of chapter twenty-one of the General Laws; provided, however, that the position of head administrative assistant shall not be subject to the provisions of chapter thirty-one of the General Laws, prior appropriation continued.

Approved November 14, 1979.

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Chap. 767. AN ACT AMENDING LICENSE FEES FOR HUNTING, FISHING AND TRAPPING.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to amend the law relative to license fees for hunting, fishing and trapping, therefore it is declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 131 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 983 of the acts of 1977, and inserting in place thereof the following paragraph:

Sporting, hunting, fishing and trapping licenses shall be issued to the following classes of persons upon payment of the appropriate fee:- (1) a citizen of the United States, resident in the commonwealth for at least six consecutive months immediately prior to his application for such license, and (2) a person who is on active duty in the armed forces of the United States and is stationed within the commonwealth. The fee for such licenses shall be as follows: a sporting license, sixteen dollars and fifty cents; a hunting license, eleven dollars and twenty-five cents; a fishing license, eleven dollars and twenty-five cents, except that for such fishing license issued to a minor fifteen to seventeen years of age, inclusive, the fee shall be six dollars and twenty-five cents; a trapping license, fourteen dollars and fifty cents, except that for such license issued to a minor twelve to seventeen years of age, inclusive, the fee shall be six dollars and twenty-five cents. The fee to be charged for the following classes of licenses issued to any person who has reached his sixty-fifth birthday and who has not reached his seventieth birthday shall be as follows: a sporting license, eight dollars and twenty-five cents; a hunting license, five dollars and seventy-five cents; a

fishing license, five dollars and seventy-five cents; a trapping license, seven dollars and twenty-five cents. No fee shall be charged for any license issued under this paragraph to a person over the age of seventy, or for a fishing or hunting license issued under this paragraph to a paraplegic, or for a fishing license issued under this paragraph to a person who is blind or mentally retarded.

SECTION 2. Said section 11 of said chapter 131 is hereby further amended by striking out the third paragraph, as most recently amended by section 1 of chapter 983 of the acts of 1977, and inserting in place thereof the following paragraph:

Hunting and fishing licenses shall be issued upon payment of the appropriate fee to any citizen of the United States who does not meet the requirements of the preceding paragraph. The fees for such licenses shall be as follows:- a big game hunting license which shall apply to the hunting of all game including deer, bear and wild turkey, thirty-eight dollars and twenty-five cents; a small game hunting license, which shall apply to game excepting deer, bear and wild turkey, twenty-three dollars and twenty-five cents; a nonresident small game hunting license for commercial shooting preserves and good for three consecutive days, nineteen dollars and twenty-five cents; a fishing license, seventeen dollars and twenty-five cents; a fishing license covering all the inland waters and good for seven consecutive days specified on the license eleven dollars and twenty-five cents. In the case of the aforementioned three and seven-day licenses, said days shall be so specified on the license and the duration of the license shall be so limited, notwithstanding any provisions of section eighteen and section thirty-two. The director or any person duly authorized under the provisions of section twelve, may issue at no fee nonresident hunting and fishing licenses to a nonresident citizen who is a paraplegic; provided, that said nonresident shows sufficient evidence to the issuing agent that he or she is so afflicted; and provided, further, that the state in which said nonresident is a resident provides a reciprocal privilege to residents of this commonwealth who are similarly afflicted. The director is hereby authorized to issue such licenses in such form as he may prescribe.

SECTION 3. The fourth paragraph of said section 11 of said chapter 131 is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 706 of the acts of 1972, and inserting in place thereof, the following sentence: The fees for such licenses shall be for fishing, fourteen dollars and twenty-five cents, and for hunting, nineteen dollars and twenty-five cents.

SECTION 4. Said section 11 of said chapter 131 is hereby further amended by striking out the sixth paragraph, as appearing in said section 1 of said chapter 706, and inserting in place thereof the following paragraph:

The fee for a primitive firearm - archery stamp issued under section thirteen shall be five dollars and ten cents, of which the authorized agent or city or town clerk issuing such stamp may retain ten cents. Such stamp shall entitle the holder thereof to

hunt for deer during the archery season, or the primitive firearms season, or both, provided, however, that the appropriate weapon be utilized during the archery and primitive firearm season, and provided further, that only one deer may be taken in any year by any method.

SECTION 5. Said section 11 of said chapter 131 is hereby further amended by striking out the seventh paragraph, as appearing in chapter 381 of the acts of 1976, and inserting in place thereof the following paragraph:

A person shall not kill or possess any species of game birds or mammals for which a permit is required unless he shall first have paid the established fee. A fee of one dollar shall accompany each bear permit application and a fee of one dollar shall accompany each wild turkey permit application. A fee of two dollars shall be paid for each antlerless deer permit granted, except that no fee shall be charged for those persons qualifying for either a farmer or landowner antlerless deer permit as determined by the director. A fee of five dollars shall be paid for each wild turkey permit granted.

SECTION 6. Section 13 of said chapter 131 is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following paragraph:

A person shall not hunt deer during the exclusive archery season on deer nor during the exclusive primitive firearm season on deer as established by the director unless he has obtained from the director, his authorized agents or from a city or town clerk and has attached to the back of his hunting or sporting license, in the manner provided by the director, a stamp authorizing him so to hunt. The director is hereby authorized to issue such stamps in such form as he may determine and require such records be kept as he may deem necessary.

SECTION 7. Section 14 of said chapter 131 is hereby amended by striking out the first paragraph, as most recently amended by chapter 217 of the acts of 1975, and inserting in place thereof the following paragraph:

Except as hereinafter provided, no sporting, hunting, fishing or trapping license shall be granted to a minor under the age of fifteen, nor, except as hereinafter provided, shall a sporting or hunting license be granted to a minor fifteen to seventeen years of age, inclusive; but the director, any city or town clerk, or any person duly authorized under the provisions of section twelve may issue a fishing license to any minor fifteen to seventeen years of age, inclusive, or a trapping license to any minor twelve to seventeen years of age, inclusive, if such minor has been a resident of the commonwealth for at least six months and is a citizen of the United States, or a fishing license to a non-resident minor fifteen to seventeen years of age, inclusive, if such minor is a citizen of the United States. The director or any city or town clerk shall issue a hunting or sporting license to any minor fifteen to seventeen years of age, inclusive, who presents to the person authorized to issue such license (a) a written statement that at all times when hunting or target practic-

ing other than on a duly recognized range said minor shall be accompanied by a person eighteen years of age or older; (b) evidence that said minor has held a license authorizing him to hunt in the state in a prior year; or (c) a certificate of competency as provided in this section. Every application for a license hereunder, except a fishing license, from a minor fifteen to seventeen years of age, inclusive, shall be in writing and shall be accompanied by the written consent thereto of the parent or guardian, which shall be preserved for one year by the city or town clerk or the director, as the case may be.

SECTION 8. This act shall take effect on January first, nineteen hundred and eighty.

Approved November 15, 1979.

Chap. 768. AN ACT AUTHORIZING THE COMMISSIONER OF FISHERIES, WILDLIFE AND RECREATIONAL VEHICLES TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF LANCASTER TO ROBERT G. HARRINGTON.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the conveyance of certain land of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The commissioner of fisheries, wildlife and recreational vehicles and on behalf of the commonwealth, is hereby authorized to sell and convey to Robert G. Harrington of the town of Lancaster, a certain parcel of land in the said town of Lancaster, by a deed, approved as to form by the attorney general, bounded and described as follows:

BEGINNING at a point which is Sixty-Five (65) feet North 05° 40' 18" East and 33.13 feet S. 64° 29' 20" W. from a bounded mark H.

THENCE continuing South 64° 29' 20" East a distance of twenty (20.00) feet along land of Robert G. Harrington to a point;

THENCE turning and running North 05° 40' 18" East a distance of Fifty-One and Ninety-Nine one hundredths (51.99) feet along land of Robert G. Harrington, to a point;

THENCE turning and running North 64° 29' 20" West a distance of twenty (20.00) feet along land of Robert G. Harrington, to a point;

THENCE turning and running South 05° 40' 18" West a distance of Fifty-One and Ninety-Nine one hundredths (51.99) feet more or less along land owned by the Commonwealth of Massachusetts to the point of beginning.

Said parcel shall be conveyed upon the condition that said land shall be used for residential purposes and shall revert to the commonwealth when such use ceases. The consideration for the conveyance shall be an amount equal to the fair market value of the land conveyed, as determined by the said commissioner after at least an independent appraisal has been obtained by said