

321 CMR: DIVISION OF FISHERIES AND WILDLIFE.

321 CMR 3.00: HUNTING.

3.02: HUNTING, PARTICULAR GAME.

(9) Hunting of Wild Turkey in Massachusetts. In accordance with M.G.L. c. 131, § 5, the Director shall declare an annual open season on wild turkeys, subject to the following:

(a) Definitions: For the purposes of 321 CMR 3.02(9), the following words or phrases shall have the following meanings:

Zone or Zones means the Massachusetts wildlife management zones as described in 321 CMR 3.02(4)(o).

(b) Open Season. The open season shall be in ~~four~~ **three** periods as follows:

1. In Zones 01 through ~~10~~ and 13, the spring period of the open season (hereafter “spring season”) shall begin on the last Monday in April and shall end on the fourth Saturday following.

~~2. In Zones 11 and 12, the spring season shall begin on the last Monday in April and end on the second Saturday following.~~

~~3~~**2**. In Zones 01 through 09 and 13, the fall period of the open season (hereafter, “fall season”) shall begin on the last Monday in October and end on the first Saturday thereafter.

~~4~~**3**. The open season for the mentored youth turkey hunt shall be as specified in 321 CMR 3.02(9)(c) and (l).

(c) Zones. A person shall not hunt a turkey during the spring season or during the mentored youth turkey hunt except in Zones 01 through 13. A person shall not hunt a turkey during the fall season except in Zones 01 through 09 and 13.

(d) Hunting Hours. A person shall not hunt a wild turkey on any day during the spring season or during the mentored youth turkey hunt except during the period from ½ hour before sunrise to 12:00 P.M. A person shall not hunt a wild turkey on any day during the fall season except during the period from ½ hour before sunrise to ½ hour after sunset, except on wildlife management areas as provided in 321 CMR 3.01(1)(n) where the hunting hours shall be from sunrise to sunset.

(e) Bag Limit.

1. A person shall not kill, take, or possess more than two wild turkeys in any calendar year, provided that during the spring season, the bag limit and possession limit shall be two bearded wild turkeys. Only one wild turkey may be taken per day.

2. During the fall season, the bag limit and possession limit shall be one wild turkey of either sex, provided, that if a person has killed two turkeys during the spring season, then such person shall not be entitled to kill a turkey in the fall season in that same calendar year.

3. Notwithstanding 321 CMR 3.02(9)(e)1., a minor 12 through 14 years of age, who participates in the mentored youth turkey hunt as specified in 321 CMR 3.02(9)(l) may kill one bearded wild turkey, which shall be in addition to the bag limit of his adult mentor.

(f) Bearded Turkey Requirement. A person shall not kill, take, or possess any wild turkey during the spring season or the mentored youth turkey hunt unless said turkey is bearded.

(g) Permit and Tagging Requirements. A person shall not hunt, kill, take, or possess any wild turkey unless he possesses on his person a permit so to do. Such permit shall be valid only for the date or dates stipulated thereon. A person killing a wild turkey shall immediately, before transporting or removing the carcass in any manner from where it was killed, complete and attach to the carcass in a conspicuous manner that portion of the permit designated "turkey tag". Said turkey tag shall remain attached to the turkey until the turkey is presented to a duly authorized person or checking station at which time the turkey tag shall be surrendered upon request to the official agent in charge thereof. No person shall possess a detached turkey tag except as described in 321 CMR 3.02(9)(g). Tags detached except as provided in 321 CMR 3.02(9)(g) shall be void and shall be surrendered to any officer empowered to enforce 321 CMR.

(h) Permissible Hunting Methods. A person may hunt wild turkey only by means of a shotgun not larger than ten gauge and shot not larger than size four and not smaller than size six or by means of a bow and arrows as specified in 321 CMR 3.01(3).

(i) Prohibitions. A person shall not hunt or take wild turkeys by means of or set or use any bait, live decoys, electronic or electronically operated callers, nor any trap or other device intended or designed for the purpose of capturing or ensnaring wild turkeys, nor shall any person use or have control of, in any place where turkeys may be found, any dog or dogs while hunting wild turkey, nor shall any person or persons drive, herd or take or attempt to take by driving or herding any wild turkey or turkeys provided that nothing in 321 CMR 3.02(9)(i) shall be construed to prohibit the use of hand or mouth operated turkey calls by persons otherwise lawfully hunting wild turkey.

(j) Safety Sticker Requirement. A person shall not hunt wild turkey with or by means of a shotgun nor have a shotgun in his possession while hunting wild turkey, unless such person has obtained a safety sticker as provided by the Director and applied said sticker to his shotgun in such a manner as to be visible to the shooter when sighting down the barrel of the shotgun. The Director is hereby authorized to provide such safety stickers of a type and design as he may deem appropriate.

(k) Checking Stations. Except as provided in 321 CMR 3.02(9)(k), within 48 hours after killing a wild turkey, the entire carcass shall be presented by the person killing same to a duly authorized person or checking station designated by the Director for the purpose of being recorded and examined for research purposes and having affixed thereto an official seal in such a manner as prescribed by the Director. Said official seal shall remain attached to the turkey until it is skinned, cut up, or otherwise prepared for food purposes or prepared for mounting by a taxidermist. Seals shall be non-transferable and shall be valid only for the animal or carcass to which applied by a designated Division of Fisheries and Wildlife representative. The Director may establish an alternate

checking process for persons participating in the mentored youth turkey hunt. The Director may require, as a condition of checking, that the hunter surrender breast feathers, wing tips, or other biological samples from turkeys presented for checking. For the purpose of 321 CMR 3.02(9)(k), jurisdiction for violations of the prescribed procedure shall be that jurisdiction where a turkey or carcass thereof was possessed after the expiration of 48 hours from the time said turkey was killed.

1. Youth Hunter Training Program. The Director may establish standards, qualifications and curricula for a wild turkey hunter youth training program and field exercise. Minors between 12 and 17 years of age who successfully complete the training program and field exercise and are properly enrolled with the Director may participate in a mentored hunt for wild turkey on the first Saturday prior to the last Monday in April. All such minors must be accompanied by an adult licensed to hunt in Massachusetts and who possesses a Massachusetts turkey hunting permit. No adult may be accompanied by more than one minor, and no more than one firearm may be carried. The licensed adult may not hunt, but may carry the minor's firearm when unloaded or cased and may use a turkey caller to call for the minor. During this youth turkey hunt, minors 12 through 14 years of age shall not be required to possess a hunting or sporting license. The Director may issue such minors aged 12 through 14 years of age or their adult mentors a special Massachusetts turkey permit valid only on the date specified in the permit. Minors 15 through 17 years of age shall possess both a Massachusetts hunting or sporting license and a valid Massachusetts **turkey** permit. All minors and their mentors shall otherwise conform to all provisions of M.G.L c. 131, and 321 CMR 3.02(9).

Regulatory Authority: M.G.L. c. 131, § 5.