

# **HOUSE . . . . . No. 3946**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 1, 2019.

The committee on Environment, Natural Resources and Agriculture to whom was referred the petition (accompanied by bill, House, No. 790) of Carmine Lawrence Gentile and others relative to authorizing mushroom picking for personal use on certain state park lands, reports recommending that the accompanying bill (House, No. 3946) ought to pass [Senator Eldridge dissents].

For the committee,

SMITTY PIGNATELLI.

**HOUSE . . . . . No. 3946**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act authorizing mushroom picking for personal use on certain state park lands.

*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. Chapter 132A of the General Laws is hereby amended by inserting after  
2 section 2D the following section:-

3           Section 2E. Any person may take mushrooms for a personal and non-commercial use  
4 from state parks, forest recreation areas, and reservations under the control of the department of  
5 conservation and recreation. Notwithstanding, the commissioner, may limit any area of  
6 department controlled lands where persons shall not take mushrooms, and may make rules and  
7 regulations for the taking of mushrooms on such lands, pursuant to the procedures under  
8 section 7.

9           The department and its employees, shall not be liable for the injury or death to any  
10 person, related to a person’s taking of mushrooms, or consuming or using mushrooms, from said  
11 parks, forest recreation areas, and reservations, unless any willful or reckless conduct by the  
12 department or its employees, contributed to such injury or death.

13           The term “take” or “taking” as used in this section shall mean the collecting, picking or  
14 cutting of mushrooms, including removing any mushroom from department lands.

15           SECTION 2. Section 1 shall take effect 6 months after the passage of this act.