

HOUSE No. 660

The Commonwealth of Massachusetts

PRESENTED BY:

Matthew A. Beaton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the conservation of striped bass.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Matthew A. Beaton

11th Worcester

Kimberly N. Ferguson

1st Worcester

HOUSE No. 660

By Mr. Beaton of Shrewsbury, a petition (accompanied by bill, House, No. 660) of Matthew A. Beaton and Kimberly N. Ferguson relative to the taking and possession of wild striped bass. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to the conservation of striped bass.

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. Section 100A of chapter 130 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking the section in its entirety and inserting in place
3 thereof the following sentences: - (a) Commercial harvesting and sale of wild striped bass shall
4 be prohibited in the Commonwealth except as provided for in section 2. The director, with the
5 approval of the marine fisheries advisory commission, shall adopt rules and regulations relative
6 to the taking and possession of wild striped bass by recreational angling. (b) All aquaculture
7 raised striped bass for sale in the commonwealth shall bear the tag of the grower or distributor of
8 the fish. (c) Whoever violates any rules or regulations made pursuant to this section shall be
9 punished by a fine of not less than \$200 for each fish taken or possessed for the first violation,
10 five hundred dollars for each fish taken or possessed for the second violation and for each
11 subsequent violation shall be fined one thousand dollars for each fish taken or possessed or
12 imprisoned not more than sixty days or both. No part of any fine imposed for the taking or
13 possession of any striped bass in violation of any such regulation shall be remitted.

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15 □SECTION 2. (a) Commercial harvesting and sale of wild striped bass shall be permitted for
16 individuals owning commercial licenses on December 31, 2012 who can historically demonstrate
17 over the preceding 5 years that they have averaged an annual landing and sale of more than 1000
18 pounds of striped bass based on records made available to the Massachusetts Division of Marine
19 fisheries. Provided further, however, the Director of the Massachusetts Division of Marine
20 Fisheries may provide hardship relief from this limit if a license holder for the past five years can
21 demonstrate a legitimate hardship causing him or her to land less than an average of 1000
22 pounds. (b) The Director of the Massachusetts Division of Marine Fisheries shall calculate the
23 commercial catch limit based on the 5 year annual landings and sale of pounds of striped bass by
24 said commercial fishermen as so defined in Section 2 (a). (c) Should a commercial license
25 holder retire his license, the Massachusetts Division of Marine Fisheries shall reduce the total

26 commercial take allowed by the average landings of said individual operating under said license
27 for the previous five years. (d) In no case shall any new commercial licenses be granted or shall
28 licenses be transferred or sold. (e) If a commercial striped bass license holder fails to report no
29 catch or if they report not catching any striped bass for two consecutive years, their striped bass
30 commercial license shall not be renewed. (f) All Commercial Fishermen shall annually be
31 required to report their catch to the Massachusetts Division of Marine Fisheries within 90 days
32 after the close of the commercial striped bass season. Failure to comply with this requirement
33 shall cause said individual's license not to be renewed for the next season. Provided further,
34 however, the Director of the Massachusetts Division of Marine Fisheries may waive any
35 penalties associated with a late filing of said report if said commercial fisherman can
36 demonstrate a legitimate hardship. (g) Nothing in this act shall preclude the Director of Marine
37 Fisheries or the Marine Fisheries Advisory Board from limiting, curtailing or suspending the
38 recreational or commercial catching and landing of striped bass should the fishery conditions
39 worsen that the fishery is in jeopardy of sustaining itself. (h) Notwithstanding any special or
40 general law to the contrary, the issuing of commercial striped bass licenses shall cease as of
41 January 1, 2025.
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