

SENATE No. 2793

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 adoption of the accompanying bill:

An Act relative to abandoned fishing gear.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/12/2024</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/12/2024</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/12/2024</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/13/2024</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>2/13/2024</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/13/2024</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/13/2024</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/13/2024</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/13/2024</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	<i>2/14/2024</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Hampden</i>	<i>2/14/2024</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>2/16/2024</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>2/20/2024</i>

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By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr, Kathleen R. LaNatra, Joan B. Lovely, Susan Williams Gifford, and other members of the General Court for legislation relative to abandoned fishing gear. Environment and Natural Resources.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to abandoned fishing gear.

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 1 of chapter 130 of the general laws as appearing in the 2022
2 official edition is hereby amended by striking the definition of “close season” and inserting in
3 place thereof the following:-

4 “Close Season” or “closed season” is the time during which fish cannot lawfully be taken
5 or a time or area when and where the use of fishing gear is prohibited.

6 SECTION 2. Said section 1 of said chapter 130 is hereby further amended by inserting
7 after the definition of “Wholesale dealer” the following:-

8 “Fishing Gear” is defined as a trap, net, fish car, or other contrivance that is: intact;
9 functions as it is intended to take, hold or capture fish; and is in the water during the open
10 season.

11 “Fishing Gear Debris”, is defined as a trap, net, fish car, or other contrivance that is: not
12 intact; does not function as it is intended to take, hold or capture fish; or is in the water during a
13 closed season.

14 “Open Season” is defined as the time during which fish may lawfully be taken or a time
15 or area where the use of a particular fishing gear is allowed.

16 SECTION 3. Section 31 of said chapter 130 of the general laws as appearing in the 2022
17 official edition is hereby amended by striking the section in its entirety and inserting in place
18 thereof the following:-

19 No person shall, without the consent of the owner, take, use, destroy, injure or molest
20 fishing gear. The Division of Marine Fisheries, with the approval of the Marine Fisheries
21 Advisory Commission and the Department of Fish and Game, shall promulgate regulations that
22 may authorize or permit the removal of fishing gear debris from the waters under the jurisdiction
23 of the Commonwealth and the adjacent coastal shoreline. Fishing gear debris collected under the
24 Division authority shall not be subject to M.G.L. c.134.

25 SECTION 4. Chapter 130 of the General Laws as appearing in the 2022 official edition is
26 hereby amended by striking section 32 in its entirety.