

**SENATE . . . . . No. 392**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James E. Timilty*

*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 the conservation of Atlantic striped bass.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*James E. Timilty*

*11th Worcester*

*Matthew A. Beaton*

**SENATE . . . . . No. 392**

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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 392) of James E. Timilty and Matthew A. Beaton for legislation relative to the conservation of Atlantic striped bass. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to the conservation of Atlantic 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  
2 in the 2008 Official Edition, is hereby amended by striking the section in its entirety and inserting  
3 in place thereof the following Section:-

4                   Section 100A. (a) Commercial harvesting and sale of wild striped bass shall  
5 be prohibited in the commonwealth. The director, with the approval of the marine fisheries  
6 advisory commission, shall adopt rules and regulations relative to the taking or possession of  
7 wild striped bass by recreational angling, provided that in no instance shall any rule or regulation  
8 authorize the taking or possession of striped bass which are less than 20 inches in length or  
9 greater than 26 inches total length but less than 40 inches total length. It is unlawful to take or  
10 possess striped bass unless the fish are whole with head on and are between 20 and 26 inches  
11 total length or 40 inches and greater total length.

12                   (b) It is unlawful to take or possess more than one (1) striped bass each day.

13 (c) All aquaculture raised striped bass for sale in the commonwealth shall  
14 bear the tag of the grower or distributor of the fish.

15 (d) Whoever violates any rules or regulations made pursuant to this section  
16 shall be punished by a fine of not less than two hundred dollars for each fish taken or possessed  
17 for the first violation, five hundred dollars for each fish taken or possessed for the second  
18 violation and for each subsequent violation shall be fined one thousand dollars for each fish  
19 taken or possessed or imprisoned not more than sixty days or both. No part of any fine imposed  
20 for the taking or possession of any striped bass in violation of any such regulation shall be  
21 remitted.

22 (e) The striped bass quota for commercial fishing provided to the  
23 Commonwealth of Massachusetts by the Atlantic States Marine Fisheries Commission shall not  
24 be added to recreational fishing quotas. Said quota shall be set aside for conservation and the  
25 Director of the Division of Marine Fisheries shall use his best efforts in working with the  
26 Commission to see that the amount of this quota is not given to other states but remains the  
27 property of the Commonwealth to be used for conservation of striped bass.