

**HOUSE . . . . . No. 759**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Thomas M. Stanley*

*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:    | DATE ADDED:      |
|--------------------------|----------------------|------------------|
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>1/16/2015</i> |

**HOUSE . . . . . No. 759**

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By Mr. Stanley of Waltham, a petition (accompanied by bill, House, No. 759) of Thomas M. Stanley relative to the Atlantic striped bass. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 811 OF 2013-2014.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

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 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. SECTION 2.  
14 (a) Commercial harvesting and sale of wild striped bass shall be permitted for individuals  
15 owning commercial licenses on December 31, 2012 who can historically demonstrate over the  
16 preceding 5 years that they have averaged an annual landing and sale of more than 1000 pounds  
17 of striped bass based on records made available to the Massachusetts Division of Marine  
18 fisheries. Provided further, however, the Director of the Massachusetts Division of Marine  
19 Fisheries may provide hardship relief from this limit if a license holder for the past five years can  
20 demonstrate a legitimate hardship causing him or her to land less than an average of 1000  
21 pounds. (b) The Director of the Massachusetts Division of Marine Fisheries shall calculate the  
22 commercial catch limit based on the 5 year average annual landings and sale of pounds of striped  
23 bass by said commercial fishermen as so defined in Section 2 (a). (c) Should a commercial  
24 license holder retire his license, the Massachusetts Division of Marine Fisheries shall reduce the  
25 total commercial take allowed by the average landings of said individual operating under said  
26 license for the previous five years. (d) In no case shall any new commercial licenses be granted  
27 or shall licenses be transferred or sold. (e) If a commercial striped bass license holder fails to  
28 report no catch or if they report not catching any striped bass for two consecutive years, their  
29 striped bass commercial license shall not be renewed. (f) All Commercial Fishermen shall  
30 annually be required to report their catch to the Massachusetts Division of Marine Fisheries  
31 within 90 days after the close of the commercial striped bass season. Failure to comply with this  
32 requirement shall cause said individuals license not to be renewed for the next season. Provided  
33 further, however, the Director of the Massachusetts Division of Marine Fisheries may waive any  
34 penalties associated with a late filing of said report if said commercial fisherman can

35 demonstrate a legitimate hardship. (g) Nothing in this act shall preclude the Director of Marine  
36 Fisheries or the Marine Fisheries Advisory Board from limiting, curtailing or suspending the  
37 recreational or commercial catching and landing of striped bass should the fishery conditions  
38 worsen that the fishery is in jeopardy of sustaining itself. (h) Notwithstanding any special or  
39 general law to the contrary, the issuing of commercial striped bass licenses shall cease as of  
40 January 1, 2025.