

HOUSE No. 879

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus and Sarah K. Peake

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 lobsters.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>1/7/2019</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/8/2019</i>

HOUSE No. 879

By Representatives Straus of Mattapoisett and Peake of Provincetown, a petition (accompanied by bill, House, No. 879) of William M. Straus and Sarah K. Peake relative to lobsters. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to lobsters.

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 44 of chapter 130 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the third paragraph and inserting in place
3 thereof the following:-

4 If the measurement of any such lobster taken from 1 or the other eye sockets is of the
5 required length, such lobster shall be deemed to be a legal lobster. In all prosecutions under this
6 section, any mutilation of any lobster which affects its measurement as aforesaid shall be prima
7 facie evidence that the lobster was or is shorter than the required length; provided, however, that
8 the director shall, by regulation approved by the marine fisheries advisory commission, allow the
9 on-shore processing in the commonwealth of live lobsters of legal length into frozen shell-on
10 lobster parts or tails and the importation of unfrozen shell-on lobster parts or tails by wholesale
11 dealers that are licensed by the department of public health under section 77G of chapter 94.
12 Processed frozen shell-on lobster parts or tails may be possessed, sold or offered for sale in the

13 commonwealth by any wholesale dealer, retail dealer or food establishments and such food
14 product may be possessed by a consumer. The processing, possession or sale of frozen or
15 unfrozen lobster tails pursuant to this section shall be limited to lobster tails weighing 3 ounces
16 or more. The packaging of processed frozen or unfrozen shell-on lobster parts or tails pursuant to
17 this section as a food product shall be labeled in accordance with applicable federal and state
18 laws and regulations. This section shall not apply to common carriers having lobster in
19 possession for the purpose of transportation.

20 This section shall take effect on April 1, 2019 during which time the Division of Marine
21 Fisheries shall promulgate regulations, in accordance with recommendations from the 2012
22 Division of Marine Fisheries report entitled, "Analysis of Laws, Regulations and Policies
23 Pertaining to the Processing, Possession and Sale of Processed Frozen Lobster Parts," to
24 maintain enforcement of conservation rules and to ensure only legally sized lobsters are taken.