

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***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 establishing a shellfish advisory panel.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>4/29/2021</i>

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

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By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake relative to the creation of a shellfish advisory panel (including members of the General Court) within the Division of Marine Fisheries. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act establishing a shellfish advisory panel.

*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. There shall be established within the division of marine fisheries a shellfish  
2 advisory panel to advise the director on matters of concern relevant to shellfish fisheries, provide  
3 a forum for Massachusetts governmental entities to receive and disseminate information relevant  
4 to shellfish resources and shellfish management, and allow members of the public and  
5 representatives of governmental entities of Massachusetts to bring forth emerging issues in  
6 shellfish fisheries.

7           The shellfish advisory panel shall include: the director of the division of marine fisheries  
8 or a designee, who shall serve as Chair; the commissioner of the department of agriculture  
9 resources or a designee; the commissioner of the department of environmental protection or a  
10 designee; the head of department of public health’s food protection program or a designee; the  
11 director of the office of coastal zone management or a designee; the executive director of the  
12 Massachusetts commission on Indian affairs or a designee; two members of the General Court’s

13 joint committee on environment, natural resources and agriculture or their designees; and up to  
14 15 individuals appointed by the director with due regard for coastal geographic distribution and  
15 stakeholder representation. Said 15 individuals shall be appointed by the director as follows; one  
16 shall be a representative of the national oceanic and atmospheric sea grant programs established  
17 within Massachusetts; two shall hold valid seafood dealer permits and be involved in the  
18 wholesale or retail sale of shellfish; one shall hold a valid Massachusetts commercial fishing  
19 permit and be involved in a Massachusetts managed wild harvest shellfish fishery; two shall hold  
20 valid state and municipal commercial shellfish permits and be involved with wild harvest of  
21 municipally managed shellfish; three shall hold both a valid Massachusetts aquaculture permit  
22 and a municipal site license for the commercial production of shellfish; one shall hold a valid  
23 recreational shellfish permit within a municipality of Massachusetts and be involved with the  
24 recreational harvest of shellfish; two shall be current municipal shellfish constables nominated  
25 by the Massachusetts shellfish officers association; one shall be a member of the marine fisheries  
26 advisory commission; and one shall be a representative from a non-governmental organization  
27 involved with shellfish conservation.

28         Individuals appointed by the director to serve on the shellfish advisory panel shall serve a  
29 term not to exceed three years and may be eligible for re-appointment by the director. The  
30 shellfish advisory panel shall be convened by the Chair at least twice per calendar year to  
31 address issues of substance related to shellfish resources, fisheries, and management and assist in  
32 the dissemination of information to stakeholders. The Chair shall consider the input of the panel.

33         Nothing herein shall be construed to conflict with section 52 of this chapter.