SENATE DOCKET, NO. 507 FILED ON: 1/19/2011

SENATE . . . . . No. 392

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	
Matthew A. Beaton	*11th Worcester*

SENATE DOCKET, NO. 507 FILED ON: 1/19/2011

SENATE . . . . . No. 392

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.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

SECTION 1. Section 100A of chapter 130 of the General Laws, as appearing in the 2008 Official Edition, is herby amended by striking the section in its entirety and inserting in place thereof the following Section:-

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

(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.