

HOUSE No. 660

The Commonwealth of Massachusetts

PRESENTED BY:

Matthew A. Beaton

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 striped bass.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Matthew A. Beaton

11th Worcester

Kimberly N. Ferguson

1st Worcester

HOUSE No. 660

By Mr. Beaton of Shrewsbury, a petition (accompanied by bill, House, No. 660) of Matthew A. Beaton and Kimberly N. Ferguson relative to the taking and possession of wild striped bass. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the conservation of 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.

14 SECTION 2. (a) Commercial harvesting and sale of wild striped bass shall be permitted
15 for individuals owning commercial licenses on December 31, 2012 who can historically
16 demonstrate over the preceding 5 years that they have averaged an annual landing and sale of
17 more than 1000 pounds of striped bass based on records made available to the Massachusetts
18 Division of Marine fisheries. Provided further, however, the Director of the Massachusetts
19 Division of Marine Fisheries may provide hardship relief from this limit if a license holder for
20 the past five years can demonstrate a legitimate hardship causing him or her to land less than an
21 average of 1000 pounds. (b) The Director of the Massachusetts Division of Marine Fisheries
22 shall calculate the commercial catch limit based on the 5 year annual landings and sale of pounds

23 of striped bass by said commercial fishermen as so defined in Section 2 (a). (c) Should a
24 commercial license holder retire his license, the Massachusetts Division of Marine Fisheries
25 shall reduce the total commercial take allowed by the average landings of said individual
26 operating under said license for the previous five years. (d) In no case shall any new commercial
27 licenses be granted or shall licenses be transferred or sold. (e) If a commercial striped bass
28 license holder fails to report no catch or if they report not catching any striped bass for two
29 consecutive years, their striped bass commercial license shall not be renewed. (f) All
30 Commercial Fishermen shall annually be required to report their catch to the Massachusetts
31 Division of Marine Fisheries within 90 days after the close of the commercial striped bass
32 season. Failure to comply with this requirement shall cause said individual's license not to be
33 renewed for the next season. Provided further, however, the Director of the Massachusetts
34 Division of Marine Fisheries may waive any penalties associated with a late filing of said report
35 if said commercial fisherman can demonstrate a legitimate hardship. (g) Nothing in this act shall
36 preclude the Director of Marine Fisheries or the Marine Fisheries Advisory Board from limiting,
37 curtailing or suspending the recreational or commercial catching and landing of striped bass
38 should the fishery conditions worsen that the fishery is in jeopardy of sustaining itself. (h)
39 Notwithstanding any special or general law to the contrary, the issuing of commercial striped
40 bass licenses shall cease as of January 1, 2025.