

AN ACT RELATIVE TO THE CONSERVATION OF ATLANTIC STRIPED BASS.

Be it enacted by the Senate and House of Representatives in the General Court assembled, and by the authority of the same as follows:

SECTION 1. Section 110A of chapter 130 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking the section in its entirety and inserting in place thereof the following sentences:

- (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.
- (c) All aquaculture raised striped bass for sale in the commonwealth shall bear the tag of the grower or distributor of the fish.
- (d) Whoever violates any rules or regulations made pursuant to this section shall be punished by a fine of not less than two hundred dollars for each fish taken or possessed for the first violation, five hundred dollars for each fish taken or possessed for the second violation and for each subsequent violation shall be fined one thousand dollars for each fish taken or possessed or imprisoned not more than sixty days or both. No part of any fine imposed for the taking or possession of any striped bass in violation of any such regulation shall be remitted.

SECTION 2. The striped bass quota for commercial fishing provided to the Commonwealth of Massachusetts by the Atlantic States Marine Fisheries Commission shall not be added to recreational fishing quotas. Said quota shall be set aside for conservation and the Director of the Division of Marine Fisheries shall use his best efforts in working with the Commission to see that the amount of this quota is not given to other states but remains the property of the Commonwealth to be used for conservation of striped bass.

OBJECTIVES OF THE MASSACHUSETTS STRIPED BASS CONSERVATION BILL

The Massachusetts Striped Bass Conservation Bill has been drafted to accomplish interrelated achievements that can be summarized in the following categories: Conservation, Equal Access, Economic Gains (from Tourism and from Jobs and Revenues), Resource Management (Conservation and Consistency) and Public Health. It is time to recognize striped bass for their real economic value to Massachusetts by passing this Bill, which will bring the management of wild striped bass into the 21st century.

Passage of this Bill will achieve the following objectives:

- 1) ***Conservation***: It will insure the long term survival of this species by designating it as “game” along with nearly every other important animal, bird and fish in the Commonwealth of Massachusetts! “Game fish” designation has proved to be the best way to conserve valuable fisheries for the long term by protecting them from commercial exploitation.
- 2) ***Equal Access***: It will democratize the fishery 100 percent by mandating that everyone follow the same harvesting rules and regulations with no exceptions. It will eliminate special, elite “user group” privileges. It will end harvesting discrimination and will make striped bass the most popular marine sport fish “of the people” that it once was, only now everyone will be treated equally.
- 3) ***Economic Gains: Tourism***: It will reverse the currently rising loss of jobs and personal income being caused by a declining fishery. Each year there are fewer fish to catch and therefore fewer visiting anglers coming to Massachusetts, all of which is having a disastrous effect on the Massachusetts economy. Angling guides are going out of business; tourists are traveling elsewhere; and many anglers have given up fishing for striped bass in Massachusetts. The regulatory status quo is creating untold economic hardships that are easily remedied by making striped bass a game fish.
- 4) ***Economic Gains: Jobs and Revenues***: It will maximize the economic impact of game fish status by creating almost 3,000 new jobs (net of commercial job losses) and increasing revenues in Massachusetts by “nearly \$334 million,” according to the acclaimed and respected Southwick Striped Bass Study for Massachusetts (2005).
- 5) ***Resource Management: Conservation***: It will both reduce the harvest and protect the best reproductive females in the striped bass population while setting aside a reserve stock of fish for unforeseen environmental crises such as that now occurring from mycobacteriosis, which is 100% fatal and has been found in 70% of the stripers (or “rockfish”) in Chesapeake Bay (the source of most of the striped bass caught in Massachusetts).
- 6) ***Resource Management: Consistency***: It will eliminate a management choice between two opposing goals and standards: recreational fishing (that demands long-term species protection) versus commercial interests (driven by profit to maximum exploitation). In sum, the tradeoff between recreational and commercial fisheries management is between *species enhancement* and *species destruction*. The long and sorry history of commercial fisheries shows the threat.
- 7) ***Public Health***: It will better protect the consuming public by removing the older, more contaminated fish from the marketplace, and replace them with healthier and more predictable supplies of farm-raised stripers. Health advisories against consuming wild, migratory striped bass due to PCB and mercury contamination have been issued by many States along the Atlantic seaboard.

The welfare of striped bass and the measurable economic benefits to the public and to the Commonwealth are best served by passing this Striped Bass Conservation Bill.

Thank you for your support.