HOUSE DOCKET, NO. 2506 FILED ON: 1/15/2015

HOUSE . . . . . No. 704

The Commonwealth of Massachusetts

PRESENTED BY:

Peter V. Kocot

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 to protect the right whale and other endangered sea life.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter V. Kocot	*1st Hampshire*

HOUSE DOCKET, NO. 2506 FILED ON: 1/15/2015

HOUSE . . . . . No. 704

By Mr. Kocot of Northampton, a petition (accompanied by bill, House, No. 704) of Peter V. Kocot relative to the protection of right whales and other endangered species within the coastal waters of the Commonwealth. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *743* OF 2013-2014.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to protect the right whale and other endangered sea life.

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. Chapter 29 of the General Laws is hereby amended by inserting the following section:-

"Section 2GGGG Right Whale and Endangered Sea Life Research and Protection Fund."

Section 2. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Right Whale and Endangered Sea Life Research and Protection Fund, the funds of which shall be expended by the division of coastal zone management within the executive office of energy and environmental affairs for the purpose of purchasing or leasing equipment, vessels and technologies to diminish fatalities of right whales, sea turtles and other endangered sea life in Massachusetts coastal waters, including support of efforts by the Northeast

10 Implementation Team and its member organizations. Said division shall establish a grant
11 program to expend said funds and shall give priority to public institutions of higher education
12 and non-profit corporations located within the Commonwealth, including, but not limited to
13 woods hole oceanographic institute, the center for coastal studies, new england aquarium and
14 other entities with established records of right whale and endangered sea life research for
15 purchasing or leasing equipment, information technology and marine vessels. Said division shall
16 prioritize the expenditure of said funds on developing data related to the interaction of northern
17 right whales and endangered sea life and vessels transitting cape cod bay and the great south
18 channel, improvements to the mandatory ship reporting system, improvements to fishing and
19 lobstering gear, improvements to the remote monitoring of right whales and the development of
20 acoustical and optical systems to diminish right whale and endangered sea life fatalities.

21 The Right Whale Research and Protection Fund shall receive monies from: (1) gifts,
22 grants, appropriations and donations from public or private sources; (2) federal reimbursements
23 and grants-in-aid; (3) any interest earned from the fund; and (4) the proceeds of special
24 obligation bond sales by the commonwealth, denoted as the Right Whale Research and
25 Protection Loan Act of 2016. The state treasurer shall receive, deposit and invest funds held in
26 such a manner as to ensure the highest interest rate available consistent with the safety of the
27 fund. The books and records of the fund shall be subject to an annual audit by the state auditor.
28 The division of coastal zone management may expend such funds, in addition to appropriation,
29 and no expenditure from the fund shall cause it to be in deficiency at the close of a fiscal year.
30 The director of coastal zone management shall report annually to the house and senate
31 committees on ways and means and the joint committee on natural resources and agriculture on

32 income received into the fund and the sources of that income, any expenditures from the fund
33 and their purposes and fund balances.

34 SECTION 3. To meet a portion of the expenditures necessary in carrying out the
35 provisions of section 2GGGG of chapter 29 of the General Laws, the state treasurer shall, upon
36 request of the governor, issue and sell bonds of the commonwealth in an amount to be specified
37 by the governor from time to time, but not exceeding in the aggregate the sum of $5,000,000 to
38 be in addition to those bonds previously authorized and which authorizations remain
39 uncommitted or unobligated on the effective date of this act. All bonds issued by the
40 commonwealth as aforesaid shall be designated on their face, Commonwealth of Massachusetts
41 and the Executive Office of Environmental Affairs Right Whale and Endangered Sea Life
42 Research and Protection Loan Act of 2016, and shall be issued for a maximum term of years, not
43 exceeding 20 years, as the governor may recommend to the general court pursuant to Section 3
44 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided,
45 however, that all such bonds shall be payable not later than June 30, 2036. All interest and
46 payments on account of principal of such obligations shall be payable from the General Fund.
47 Bonds and interest thereon issued under the authority of this section shall be general obligations
48 of the commonwealth.