

**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:	DATE ADDED:
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>	<i>1/15/2015</i>

**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:*

1           SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting the  
2 following section:-

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

4           Section 2. There shall be established and set up on the books of the commonwealth a  
5 separate fund to be known as the Right Whale and Endangered Sea Life Research and Protection  
6 Fund, the funds of which shall be expended by the division of coastal zone management within  
7 the executive office of energy and environmental affairs for the purpose of purchasing or leasing  
8 equipment, vessels and technologies to diminish fatalities of right whales, sea turtles and other  
9 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.