

HOUSE No. 873

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler

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 establishing a fisheries conservation gear grant program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/19/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/22/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/23/2021</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>2/26/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/26/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>2/26/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/26/2021</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	<i>2/26/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>2/26/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/26/2021</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>2/26/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/19/2021</i>

HOUSE No. 873

By Mr. Cutler of Pembroke, a petition (accompanied by bill, House, No. 873) of Josh S. Cutler and others relative to establishing a fisheries conservation gear grant program to be developed and administered by the Division of Marine Fisheries. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act establishing a fisheries conservation gear grant program.

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 - There is hereby established, subject to appropriation, a Fisheries Conservation
2 Gear Grant Program, the purpose of which shall be to provide funding assistance for the
3 research, development, and acquisition of commercial fishing gear which limits or eliminates the
4 mortality of juvenile or other fish not legally harvestable, or harm or mortality to protected
5 species such as the Northern Right Whale, while maximizing the sustainability and productivity
6 of an affected fishery. The program shall be developed and administered by the Division of
7 Marine Fisheries, which shall conduct regular hearings at intervals of not less than once per year,
8 to determine the size, type and scope of such grants necessary to maximize their effectiveness in
9 achieving the goals set forth in this section. In administering the program, the division shall
10 utilize eligibility criteria which, to the greatest extent possible, ensure equity based on
11 geography, fishery type, gear type, and demographic factors, provided further that grants may be

12 conditioned on matching resources and collaboration between commercial fishery participants
13 and scientific or other institutions which conduct relevant research.

14 Section 2 - Eligibility for grants from the program shall be restricted to fishing industry
15 participants domiciled in Massachusetts and holding a valid state or federal commercial fisheries
16 permit , and institutions of higher learning or research organizations located in the
17 commonwealth.

18 Section 3 - The division may, on behalf of the commonwealth, retain all or a portion of
19 the ownership of any intellectual property developed through said program, including but not
20 limited to patents, and registrations, provided , however, that any intellectual property so held
21 shall be made available through licensure or other means under reasonable terms and conditions
22 to those otherwise eligible for grant funding pursuant to this act, and for the purposes of this act.

23 Section 4. To meet the expenditures necessary in carrying out this act, the state treasurer
24 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to
25 be specified by the governor from time to time. All bonds issued by the commonwealth as
26 aforesaid shall be designated on their face, Commonwealth Transportation Improvement Act of
27 2021, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor
28 may recommend to the general court under section 3 of Article LXII of the Amendments to the
29 Constitution. All such bonds shall be payable not later than twenty five years from issuance,
30 pursuant to said Section 3 of Article LXII of the Amendments to the Constitution. All interest
31 and payments on account of principal on these obligations shall be payable from the General
32 Fund. Notwithstanding any other general or special law to the contrary, bonds issued under this
33 section and interest thereon shall be general obligations of the commonwealth.