

**HOUSE . . . . . No. 773**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Josh S. Cutler and Patrick Joseph Kearney*

*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>1/6/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/20/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/26/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/26/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2023</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/15/2023</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/16/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/27/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/4/2023</i>

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By Representatives Cutler of Pembroke and Kearney of Scituate, a petition (accompanied by bill, House, No. 773) of Josh S. Cutler, Patrick Joseph Kearney and others relative to establishing a fisheries conservation gear grant program to be developed and administered by the Division of Marine Fisheries. Environment and Natural Resources.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 873 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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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.