

SENATE No. 2379

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 financing fishing and farming investment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>	<i>2/26/2018</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/26/2018</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/26/2018</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>2/27/2018</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	<i>2/27/2018</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>	<i>2/27/2018</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/27/2018</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/27/2018</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>2/27/2018</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>2/27/2018</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>	<i>2/27/2018</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>2/27/2018</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/28/2018</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>3/26/2018</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>3/1/2018</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>3/2/2018</i>

<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/5/2018</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>3/7/2018</i>

SENATE No. 2379

By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr, Mark C. Montigny, David F. DeCoste, Joan B. Lovely and other members of the General Court for legislation to finance fishing and farming investment. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act financing fishing and farming investment.

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. To provide for a program of fishing and farming investment, the sums set
2 forth in sections 4, and 5, for the several purposes and subject to the conditions specified in this
3 act, are hereby made available, subject to the laws regulating the disbursement of public funds.
4 The sums made available in this act shall be in addition to any amounts previously appropriated
5 or made available for these purposes.

6 SECTION 2. Chapter 10 of the General Laws as appearing in the 2016 Official Edition is
7 hereby amended by inserting after section 35DDD the following section:-

8 Section XXX. (a) There shall be established and set up on the books of the
9 commonwealth a separate fund to be known as the Fishing Innovation Fund, whose purpose shall
10 be to finance grants for permit banks, the design, construction and modification of commercial
11 fishing vessels; including but not limited to research, development and construction of

12 innovative fishing vessels with attributes including but not limited to increased fuel efficiency,
13 reduced carbon emissions, improved stability, and the capability of supporting sustainable
14 fishing practices through harvesting and on-board storage and processing methods, research,
15 development, acquisition and deployment of advanced and/or innovative technologies including
16 but not limited to sonar, radar, radio communications, satellite and global position and other
17 locating and tracking devices; the research and development, acquisition and deployment of
18 safety equipment and technologies provided, that any such grants may be conditioned on a vessel
19 or guarantor or other reasonable condition remaining active in commercial fishing in the
20 commonwealth, landing or processing fish in the commonwealth, and/or maintaining permits or
21 licenses to do so without regard or preference to any particular geographic location or region of
22 the commonwealth; provided that grants shall be distributed in a manner developed by the
23 advisory committee established under clause (b) of this section.

24 Amounts shall be credited to the fund pursuant to line item 2300-0100, provided that the
25 fund may be supplemented through appropriation from the general fund or other available
26 sources including but not limited to any interest earned on monies in the fund; any funds from
27 private sources including, but not limited to, gifts, grants and donations received by the
28 commonwealth that are specifically designated to be credited to the fund, provided further that
29 the department of fish and game shall also seek to the fullest extent any federal monies, any
30 federal monies, matching funds, and grants.

31 The state treasurer shall deposit the moneys in the fund in accordance with section 34 of
32 chapter 29 in a manner that will secure the highest interest available consistent with the safety of
33 the fund and with the requirement that all amounts on deposit shall be available for immediate
34 withdrawal at all times. The fund shall be expended at the direction of the Commissioner of the

35 Department of Fish and Game in consultation with the advisory committee established in clause
36 (b) of this section, subject to approval by the secretary of administration and finance only for the
37 purposes stated in this section and any unexpended balances in the fund at the end of the fiscal
38 year shall not revert and shall be available for expenditures in the subsequent fiscal year.

39 (b) There shall be an advisory committee to be appointed by the governor consisting of
40 13 members including the director of the division of marine fisheries who shall serve as chair; 2
41 of whom with academic and/or research experience in fishing and the marine economy and 10
42 members from geographically diverse regions of the commonwealth, with at least one from each
43 of these gear types: mobile gear such as trawls, hooks, gillnets, and traps.

44 The advisory committee shall file a report detailing the amount, types, and nature of
45 grants made and impacts of such grants, said report shall be submitted to the clerks of the house
46 and senate no later than September 30 of each calendar year.

47 The advisory committee shall annually hold at least one public hearing to receive public
48 testimony to inform its efforts in developing and deploying grant programs.

49 SECTION 3. Chapter 10 of the General Laws as appearing in the 2016 Official Edition is
50 hereby amended by inserting after section 35DDD the following section:-

51 Section XXX. There shall be established and set up on the books of the commonwealth a
52 separate fund to be known as the Agricultural Innovation Fund, whose purpose shall be to
53 finance grants for the commonwealth's agricultural and cranberry producers through the
54 Agricultural Innovation Center that may add value to the producers products and services;
55 provided further that the Agricultural Innovation Center shall develop an outreach program to
56 identify and foster new, innovative ideas and approaches to adding value to the commonwealth's

57 agricultural and cranberry economy; and provided further that the Agricultural Innovation Center
58 may solicit requests from the commonwealth's agricultural and cranberry industry for funding
59 and technical assistance in reclamation and revitalization of cranberry bogs; training, marketing,
60 distribution, applied research, agri-tourism, aquaculture, forestry, processing, fiber and
61 agricultural resource management research, development, poultry and red meat processing and
62 construction of energy efficient agricultural buildings and structures; research, development and
63 construction of energy efficient agricultural equipment; provided further that grants shall be
64 administered in a manner developed by the advisory committee established under clause (b) of
65 this section.

66 Amounts shall be credited to the fund pursuant to line item 2511-2000, provided that the
67 fund may be supplemented through appropriation from the general fund or other available
68 sources including but not limited to any interest earned on monies in the fund; any funds from
69 private sources including, but not limited to, gifts, grants and donations received by the
70 commonwealth that are specifically designated to be credited to the fund, provided further that
71 the department of fish and game shall also seek to the fullest extent any federal monies, matching
72 funds, and grants.

73 The state treasurer shall deposit the moneys in the fund in accordance with section 34 of
74 chapter 29 in a manner that will secure the highest interest available consistent with the safety of
75 the fund and with the requirement that all amounts on deposit shall be available for immediate
76 withdrawal at all times. The fund shall be expended at the direction of the commissioner of the
77 department of agricultural resources in consultation with the secretary of energy and
78 environmental affairs and the advisory committee established under clause (b) in this section,
79 subject to approval by the secretary of administration and finance only for the purposes stated in

80 this section and any unexpended balances in the fund at the end of the fiscal year shall not revert
81 and shall be available for expenditures in the subsequent fiscal year.

82 (b) There shall be an advisory committee to be appointed by the governor consisting of
83 13 members including the commissioner of the department of agricultural resources who shall
84 serve as chair; 2 of whom with academic and/or research experience in the agriculture and
85 cranberry economy and 10 members of geographically diverse regions of the commonwealth,
86 with at least one from the following sectors: horticulture, cranberry growing, dairy farming,
87 raising livestock, and raising crops. The Agricultural Innovation Center shall consult with the
88 advisory committee in matters related to the fund and in the implementation of this section.

89 The advisory committee shall file a report detailing the amount, types, and nature of
90 grants made and impacts of such grants, said report shall be submitted to the clerks of the house
91 and senate no later than September 30 of each calendar year.

92 The advisory committee shall annually hold at least one public hearing to receive public
93 testimony to inform its efforts in developing and deploying grant programs.

94 SECTION 4.

95 Department of Fish and Game

96 2300-0100. For grants administered through the fishing innovation fund established
97 under section 2 of this act; provided further, that not more than \$25,000,000 per fiscal year shall
98 be made available for grants under this item.....\$25,000,000

99 SECTION 5.

100 Executive Office of Energy and Environmental Affairs

101 2511-2000. For grants administered through the agricultural innovation fund established
102 under section 3 of this act; provided further, that not more than \$25,000,000 per fiscal year shall
103 be made available for grants under this item\$25,000,000

104 SECTION 6. To meet the expenditures necessary in carrying out section 4, the state
105 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
106 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
107 \$25,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their
108 face, Fishing and Farming Investment Act of 2017, and shall be issued for a maximum term of
109 years, not exceeding 10 years, as the governor herein recommends to the general court under
110 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
111 such bonds shall be payable not later than June 30, 2042. All interest and payments on account of
112 principal on these obligations shall be payable from the General Fund. Notwithstanding any
113 other general or special law to the contrary, bonds issued under this section and interest thereon
114 shall be general obligations of the commonwealth.

115 SECTION 7. To meet the expenditures necessary in carrying out section 5, the state
116 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
117 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
118 \$25,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their
119 face, Fishing and Farming Investment Act of 2017, and shall be issued for a maximum term of
120 years, not exceeding 10 years, as the governor herein recommends to the general court under
121 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
122 such bonds shall be payable not later than June 30, 2042. All interest and payments on account of
123 principal on these obligations shall be payable from the General Fund. Notwithstanding any

124 other general or special law to the contrary, bonds issued under this section and interest thereon
125 shall be general obligations of the commonwealth.