

# HOUSE . . . . . No. 4227

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, December 26, 2023.

The committee on Agriculture to whom was referred the 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, reports recommending that the accompanying bill (House, No. 4227) ought to pass.

For the committee,

PAUL A. SCHMID, III.

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**The Commonwealth of Massachusetts**

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

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