

HOUSE No. 810

The Commonwealth of Massachusetts

PRESENTED BY:
John F. Quinn

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 passage of the accompanying bill:

An Act to further prevent oil spills in Buzzards Bay.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen R. Canessa	12th Bristol
Susan Williams Gifford	2nd Plymouth
Robert M. Koczera	11th Bristol
Mark C. Montigny	Second Bristol and Plymouth
Matthew C. Patrick	3rd Barnstable
Sarah K. Peake	4th Barnstable
John F. Quinn	9th Bristol
Cleon H. Turner	1st Barnstable
William M. Straus	10th Bristol
David B. Sullivan	6th Bristol
Robert A. O'Leary	Cape and Islands
Bruce E. Tarr	First Essex and Middlesex
Richard J. Ross	9th Norfolk
Steven J. D'Amico	4th Bristol
Timothy Madden	Barnstable, Dukes and Nantucket
Jennifer M. Callahan	18th Worcester
Cory Atkins	14th Middlesex

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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AN ACT TO FURTHER PREVENT OIL SPILLS IN BUZZARDS BAY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of chapter 21M, as so appearing, is hereby amended by inserting after the definition “ECIDIS” the following definition:-

“Escort”, to accompany, shadow, guard, protect and safeguard from harm. An escort shall never be more than $\frac{1}{4}$ of a mile or 5 minutes away from a tank vessel.

Section 2: Said section 1 of said chapter 21M, as so appearing, hereby amends the definition of ‘Rescue Tug’ by adding after the word ‘escort’ the following words:- “,as defined in this section,”.

Section 3: Said section 1 of said chapter 21M, as so appearing, is hereby amended by adding after the words “associated response gear” the following words:- “the primary purpose of which shall be to serve as an escort tug for unescorted tank vessels carrying 6,000 or more barrels of oil and provide on the water monitoring of these tank vessels and have the ability to warn vessels of actual or potential threats to navigation and be available to assist immediately to the threat of an accident. Nothing in this section shall be interpreted to mean that the primary function of a rescue tug is to respond only when requested by a distressed vessel. ”

Section 4: Said section 1 of said chapter 21M, as so appearing, is hereby amended by striking out the following definition: -

“Response time”, the amount of time required for a rescue tug to assist a tank vessel.” Section 6: Section 8(c) of said chapter 21M, as so appearing, is hereby amended after the phrase “5 cents for each barrel of petroleum product” by adding the following:-

“as established by the General Court in this legislation.”

Section 7: Section 9(c) of said Chapter 21M, as so appearing, is hereby amended by striking out the words “be available to” and inserting in place of the following words:- “escort every”.

Section 8: Said section 9(c) of said Chapter 21M, as so appearing, is hereby amended by striking out the following words:- “The commissioner shall establish by regulation the maximum response times that rescue tugs shall maintain upon being dispatched.”

Section 9: Section 9(f) of said Chapter 21M, as so appearing, is hereby amended by striking the following words:- “authorize longer response times and fewer state pilots if he determines that exigent circumstances exist.” and replacing them with the following words:- “not dispatch rescue tugs and state pilots if the department determines that exigent circumstances exist.”

Section 10: Said section 9(f) of said Chapter 21M, as so appearing, is hereby further amended by inserting after the phrase, “joint committee on the environment, natural resources and agriculture” the following words:- “as well as report in the Environmental Monitor”.

Section 11: Section 9(g) of said Chapter 21M, as so appearing is hereby amended by striking out the words: - “maximum response times” and replacing it with the following words:- “the dispatching of rescue tugs”

SECTION 2. This Act shall take effect upon its passage.

