

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 Further Preventing an Oil Spill in Buzzards Bay.

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT FURTHER PREVENTING AN OIL SPILL 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:

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

3 "Escort", to accompany, shadow, guard, protect and safeguard from harm. An escort shall never be
4 more than ¼ of a mile or 5 minutes away from a tank vessel.

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

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

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

16 “Response time”, the amount of time required for a rescue tug to assist a tank vessel.” Section 6:

17 Section 8(c) of said chapter 21M, as so appearing, is hereby amended after the phrase “5 cents for each
18 barrel of petroleum product” by adding the following:-

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

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

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

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

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

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