

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 protecting the Commonwealth's lakes and ponds.

PETITION OF:

NAME: _____ | DISTRICT/ADDRESS: _____

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROTECTING THE COMMONWEALTH'S LAKES AND PONDS.

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. Chapter 10 of the General Laws is hereby amended by inserting after section 35X the following
2 section:—
3 Section 35Y. There shall be established and set up a separate fund to be known as the Invasive Aquatic Plant
4 Management Fund for the purpose of funding the invasive aquatic plants prevention grant program within the
5 department of environmental protection. There shall be credited to said fund all monies received under section 3A of
6 chapter 90B.

7 SECTION 2. Chapter 21A of the General Laws is hereby amended by adding the following section:—
8 Section 21. The department of environmental protection shall establish a grant program for the allocation of money
9 to lake associations and towns which seek to administer an invasive aquatic plant prevention and mitigation
10 prevention program. The grant program shall be funded by the Invasive Aquatic Plant Management Fund
11 established by section 35Y of chapter 10. The department of environmental protection shall establish a management
12 plan to implement the grant program. The management plan shall include, but not be limited to:
13 I. Eligibility determination criteria and procedures.
14 II. Application requirements and procedures.
15 III. Project selection and prioritization requirements and procedures.
16 IV. Stewardship requirements and procedures, including annual reporting to the department by the grantee.
17 The department of environmental protection shall distribute funds for projects to further the purpose of this chapter
18 only to eligible applicants. Eligible applicants shall include:
19 (i) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c) of the
20 Internal Revenue Code.
21 (ii) Municipalities or other political subdivisions of the state.
22 (iii) Institutions of higher learning.
23 (iv) Departments or organizations within the federal government.

24 SECTION 3. Chapter 90B of the General Laws is hereby amended by inserting after section 3 the following
25 section:—
26 Section 3A. For each application and fee submitted in accordance with section 3 (a), five dollars of said fee shall be
27 paid into the Invasive Aquatic Plant Management Fund established by section 35Y of chapter 10.

28 SECTION 4. A fee of ten dollars shall be collected for each out-of-state motorboat entering Massachusetts lakes
29 and ponds, which shall be collected by appropriate environmental law enforcement authorities or their designees,
30 and shall be paid into the Invasive Aquatic Plant Management Fund established by section 35Y of Chapter 10.

31

32