

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James M. Murphy**

*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 establishing the lake restoration and preservation fund and program.

PETITION OF:

NAME:

James M. Murphy

DISTRICT/ADDRESS:

4th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 818 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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### AN ACT ESTABLISHING THE LAKE RESTORATION AND PRESERVATION FUND AND 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. Chapter 10 of the General Laws is hereby amended by inserting after section 35W the  
2 following section:-

3 Section 35X. There shall be established and set up a separate fund to be known as the Lake Restoration and  
4 Preservation Fund for the purpose of funding the milfoil, fanwort and other exotic plants prevention grant  
5 program of the department of environmental protection. There shall be credited to said fund all monies received  
6 under section 3A of chapter 90B. Said monies shall be paid over to the department of environmental protection  
7 for the purpose of the grant program established by section 12 of chapter 21A.

8

9 Section 2. Chapter 21A of the General Laws is hereby amended by adding the following section:-

10 Section 21. The department of environmental protection shall establish a grant program for the allocation of  
11 money to lake associations and towns which seek to administer a milfoil, fanwort and other exotic plants  
12 prevention program, and institutions of higher learning which seek to conduct research on milfoil, fanwort, and  
13 other exotic plants remediation techniques. The grant program shall be 2/3 of the moneys distributed from the  
14 fund to the milfoil, fanwort, and other exotic plants prevention programs and the remainder shall be allocated to  
15 milfoil, fanwort and other exotic plants remediation research projects.

16 The Department of Environmental Protection shall establish a management plan to implement the grant program.  
17 The management plan shall include, but not limited to:

18 I. Eligibility determination criteria and procedures.

- 19 II. Application requirements and procedures.  
20 III. Project selection and prioritization requirements and procedures.  
21 IV. Stewardship requirements and procedures, including annual reporting to the department by the  
22 grantee.

23 The Department of Environmental Protection shall distribute funds for the projects to further the purpose of  
24 this chapter only to eligible applicants. Eligible applicants shall include:

25 V. publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c)  
26 of the Internal Revenue Code.

27 VI. Municipalities or other political subdivisions of the state.

28 VII. Institutions of higher learning.

29 VIII. Departments or organizations within the federal government.

30 All eligible applicants shall provide a minimum level of matching resources equal to 50 percent of the  
31 proposed program budget. The cost-sharing match may be met through the use of in-kind services.  
32 Qualifying matching funds from the applicant may include, but are not limited to, municipal appropriations,  
33 private donations, federal funds, and the value of goods and services provided by the applicant.

34

35 Section 3. Chapter 90B of the General Laws is hereby amended by inserting after section 3 the following  
36 section:-

37 Section 3A. In addition to the fee established in section 3, there shall be an additional fee of \$5.00 to be paid into  
38 the Lake Restoration and Preservation Fund established by section 35X of chapter 10. A fee of \$10.00 for each out-  
39 of-state boat entering Massachusetts lakes, ponds and waterways shall be collected by the appropriate authority  
40 and shall be paid into the fund.