HOUSE DOCKET, NO. 952 FILED ON: 1/19/2011

HOUSE . . . . . No. 225

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:

An Act protecting the Commonwealth's lakes and ponds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Sean Garballey	*23rd Middlesex*
Denise Andrews	*2nd Franklin*
Carolyn C. Dykema	*8th Middlesex*
James B. Eldridge	☐ *[District]* ☐
Jason M. Lewis	*31st Middlesex*
Denise Provost	*27th Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Christopher N. Speranzo	*3rd Berkshire*
Benjamin Swan	*11th Hampden*

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HOUSE . . . . . No. 225

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 225) of Sean Garballey and others protecting lakes and ponds by establishing an invasive aquatic plant management fund. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3441* OF 2009-2010.]

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 10 of the General Laws is hereby amended by inserting after section 35X the following section:—Section 35Y. There shall be established and set up a separate fund to be known as the Invasive Aquatic Plant Management Fund for the purpose of funding the invasive aquatic plants prevention grant program within the department of environmental protection. There shall be credited to said fund all monies received under section 3A of chapter 90B.

SECTION 2. Chapter 21A of the General Laws is hereby amended by adding the following section:—Section 21. The department of environmental protection shall establish a grant program for the allocation of money to lake associations and towns which seek to administer an invasive aquatic plant prevention and mitigation prevention program. The grant program shall be funded by the Invasive Aquatic Plant Management Fund established by section 35Y of chapter 10. The department of environmental protection shall establish a management plan to implement the grant program. The management plan shall include, but not be limited to: I. Eligibility determination criteria and procedures. II. Application requirements and procedures. III. Project selection and prioritization requirements and procedures. IV. Stewardship requirements and procedures, including annual reporting to the department by the grantee. The department of environmental protection shall distribute funds for projects to further the purpose of this chapter only to eligible applicants. Eligible applicants shall include:(i) Publicly-supported

19 nonprofit corporations exempt from federal income taxation under section 501(c) of the Internal
20 Revenue Code. (ii) Municipalities or other political subdivisions of the state. (iii) Institutions of
21 higher learning. (iv) Departments or organizations within the federal government.

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

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