

**HOUSE . . . . . No. 3441**

**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:
Christine E. Canavan	10th Plymouth
Robert M. Koczera	11th Bristol
Matthew C. Patrick	3rd Barnstable
Christopher G. Fallon	33rd Middlesex
Benjamin Swan	11th Hampden
Lori Ehrlich	8th Essex
Kay Khan	11th Middlesex
Rosemary Sandlin	3rd Hampden
Kevin J. Murphy	18th Middlesex
Thomas A. Golden, Jr.	16th Middlesex
William G. Greene, Jr.	22nd Middlesex
Steven J. D'Amico	4th Bristol
Willie Mae Allen	6th Suffolk
Richard J. Ross	9th Norfolk
Kevin G. Honan	17th Suffolk
Thomas M. Stanley	9th Middlesex
David B. Sullivan	6th Bristol
Carolyn Dykema	8th Middlesex
Louis L. Kafka	8th Norfolk
William Lantigua	16th Essex

# 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  
2 following section:—  
3 Section 35Y. There shall be established and set up a separate fund to be known as the Invasive Aquatic  
4 Plant Management Fund for the purpose of funding the invasive aquatic plants prevention grant program  
5 within the department of environmental protection. There shall be credited to said fund all monies  
6 received under section 3A of 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  
9 of money to lake associations and towns which seek to administer an invasive aquatic plant prevention  
10 and mitigation prevention program. The grant program shall be funded by the Invasive Aquatic Plant  
11 Management Fund established by section 35Y of chapter 10. The department of environmental protection  
12 shall establish a management plan to implement the grant program. The management plan shall include,  
13 but not be limited to:  
14 I. Eligibility determination criteria and procedures.  
15 II. Application requirements and procedures.  
16 III. Project selection and prioritization requirements and procedures.  
17 IV. Stewardship requirements and procedures, including annual reporting to the department by the  
18 grantee.  
19 The department of environmental protection shall distribute funds for projects to further the purpose of  
20 this chapter only to eligible applicants. Eligible applicants shall include:

- 21 (i) Publicly-supported nonprofit corporations exempt from federal income taxation under section 501(c)
- 22 of the Internal Revenue Code.
- 23 (ii) Municipalities or other political subdivisions of the state.
- 24 (iii) Institutions of higher learning.
- 25 (iv) Departments or organizations within the federal government.

26 SECTION 3. Chapter 90B of the General Laws is hereby amended by inserting after section 3 the  
27 following section:—

28 Section 3A. For each application and fee submitted in accordance with section 3 (a), five dollars of said  
29 fee shall be paid into the Invasive Aquatic Plant Management Fund established by section 35Y of chapter  
30 10.

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