

**HOUSE . . . . . No. 787**

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the Year Two Thousand Nine**  
\_\_\_\_\_

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  
2 section 35W the following section:-

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

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

11 Section 21. The department of environmental protection shall establish a grant program  
12 for the allocation of money to lake associations and towns which seek to administer a milfoil,  
13 fanwort and other exotic plants prevention program, and institutions of higher learning which

14 seek to conduct research on milfoil, fanwort, and other exotic plants remediation techniques.  
15 The grant program shall be 2/3 of the moneys distributed from the fund to the milfoil, fanwort,  
16 and other exotic plants prevention programs and the remainder shall be allocated to milfoil,  
17 fanwort and other exotic plants remediation research projects.

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

20 Eligibility determination criteria and procedures.

21 Application requirements and procedures.

22 Project selection and prioritization requirements and procedures.

23 Stewardship requirements and procedures, including annual reporting to the department  
24 by the grantee.

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

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

29 Municipalities or other political subdivisions of the state.

30 Institutions of higher learning.

31 Departments or organizations within the federal government.

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

37 Section 3. Chapter 90B of the General Laws is hereby amended by inserting after section  
38 3 the following section:-

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