

HOUSE No. 818

By Mr. Murphy of Weymouth, petition of James M. Murphy for legislation to establish the lake restoration and preservation fund and program within the Department of Environmental Protection. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

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
2 by inserting after Section 35W the following section:—
3 Section 35X. There shall be established and set up a separate fund
4 to be known as the Lake Restoration and Preservation Fund for the
5 purpose of funding the milfoil, fanwort and other exotic plants pre-
6 vention grant program of the department of environmental protec-
7 tion. There shall be credited to said fund all monies received under
8 Section 3A of chapter 90B. Said monies shall be paid over to the
9 department of environmental protection for the purpose of the grant
10 program established by Section 12 of Chapter 21A.

1 SECTION 2. Chapter 21A of the General Laws is hereby
2 amended by adding the following section:—
3 Section 21. The department of environmental protection shall
4 establish a grant program for the allocation of money to lake associ-
5 ations and towns which seek to administer a milfoil, fanwort and
6 other exotic plants prevention program, and institutions of higher
7 learning which seek to conduct research on milfoil, fanwort, and
8 other exotic plants remediation techniques. The grant program shall
9 be 2/3 of the moneys distributed from the fund to the milfoil, fan-
10 wort, and other exotic plants prevention programs and the remainder
11 shall be allocated to milfoil, fanwort and other exotic plants remedi-
12 ation research projects.

13 The Department of Environmental Protection shall establish a
14 management plan to implement the grant program The management
15 plan shall include, but not limited to:—

16 I. Eligibility determination criteria and procedures.

17 II. Application requirements and procedures.

18 III. Project selection and prioritization requirements and proce-
19 dures.

20 IV. Stewardship requirements and procedures, including annual
21 reporting to the department by the grantee.

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

25 V. publicly-supported nonprofit corporations exempt from federal
26 income taxation under section 501(c) 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 govern-
30 ment.

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

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

3 Section 3A. In addition to the fee established in Section 3, there
4 shall be an additional fee of \$5.00 to be paid into the Lake Restora-
5 tion and Preservation Fund established by Section 35X of Chapter
6 10. A fee of \$10.00 for each out-of-state boat entering Massachusetts
7 lakes, ponds and waterways shall be collected by the appropriate
8 authority and shall be paid into the fund.