The committee on Bills in the Third Reading to which was referred the House bill relative to the chemical control of algae, weeds and other aquatic nuisances (House, No. 48), reports recommending that the same be amended by substituting therefor a new draft entitled "An Act providing that persons applying chemicals to certain waters to control algae, weeds and other aquatic nuisances be licensed" (Senate, No. 704), and that, when so amended, the same will be correctly drawn.

For the committee,

F. X. McCANN.
AN ACT PROVIDING THAT PERSONS APPLYING CHEMICALS TO CERTAIN WATERS TO CONTROL ALGAE, WEEDS AND OTHER AQUATIC NUISANCES BE LICENSED.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws is hereby amended by inserting after section 5D the following section:—

3 Section 5E. No person shall for the purpose of controlling algae, weeds and other aquatic nuisances therein apply chemicals to a lake, pond, stream, or other body of water within the territorial limits of the commonwealth without first obtaining from the department a license. The department shall, upon payment of a fee of twenty-five dollars, issue such license to any person whom it deems responsible and qualified to apply chemicals to lakes, ponds, streams, and other bodies of water for the control of algae, weeds and other aquatic nuisances. Such license shall be valid for a period of two years, and may upon payment of a fee of twenty-five dollars be renewed by the department for a like period. It shall not be transferable or assignable. Any such license may be revoked for cause by the department. Any applicant or licensee aggrieved by the failure of the department to grant an original license or to renew the same or by the revocation of such license may, within thirty days after such failure or revocation, appeal in writing to a board of review, which is hereby created. Said board shall consist of the commissioner of public health, the commissioner of agriculture, the commissioner of natural resources, the director of the division of fisheries and game and the attorney general, or such persons as they may respectively designate to act in their stead. The board shall within twenty days of the receipt of such appeal give the
27 appellant a hearing and shall, within thirty days after such
28 hearing, render a decision which shall be a matter of public
29 record.
30 The department may, after a public hearing, establish
31 rules and regulations relative to the issuance of licenses and
32 the application of chemicals for the control of algae, weeds
33 and other aquatic nuisances and may from time to time amend
34 the same in like manner and may provide penalties for viola-
35 tions of said rules and regulations not exceeding five hundred
36 dollars for any one offence.
37 Whoever, not being licensed, applies chemicals to a body
38 of water for the purpose of controlling algae, weeds and other
39 aquatic nuisances, except as hereinafter provided, shall be
40 punished by a fine of not less than twenty-five nor more than
41 five hundred dollars.
42 This section shall not apply to employees and agents of the
43 departments of public health, public works, and natural re-
44 sources, or of the state reclamation board or of related federal
45 agencies, while in the conduct of their official duties, nor shall
46 it apply to the use of chemicals in privately owned ponds
47 from which there are no flowing outlets, or to algaecides ap-
48 proved by the department and used by legally established
49 water supply agencies to control taste and odors.