

HOUSE No. 02604

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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 to enhance the clean environment and protect water resources

.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Garrett J. Bradley

3rd Plymouth

Robert L. Hedlund

Plymouth and Norfolk

HOUSE No. 02604

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2604) of Hedlund and Bradley relative to including certain beverage containers in the "bottle law", so-called Joint Committee on Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 3062 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to enhance the clean environment and protect water resources

□.

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. Section 321 of chapter 94 of the General Laws, as appearing in the 2004 Official
2 Edition is hereby amended by striking out the definitions for “beverage” and “beverage
3 container,” and inserting in place thereof the following definitions:—
4 “Beverage” soda water or similar carbonated soft drinks; non-carbonated beverages including
5 mineral water, flavored and unflavored water, spring water, and other water beverages, tea,
6 sports drinks, isotonic drinks; beer and other malt beverages; wine and wine-based drinks;
7 spirits and spirit-based drinks; hard cider; and all other non alcoholic carbonated and
8 noncarbonated drinks in liquid form intended for human consumption except milk and

9 beverages that are primarily derived from daily products, infant formula, and FDA approved
10 medicines.

11 “Beverage container,” any sealable bottle, can, jar or carton which is primarily composed of
12 glass, metal, plastic, or any combination of those materials and is produced for the purpose of
13 containing a beverage, which, at the time of sale, contains four liters or less of a beverage. This
14 definition shall not include containers made of paper based biodegradable material and aseptic
15 multi-material packaging.

16 SECTION 2. Section 323F of Chapter 94 of the General Laws, as so appearing, is hereby
17 amended by the striking out “Repealed, 2003, 26 Sec 296,” and inserting in place thereof the
18 following:—

19 (a) There shall be established on the books of the commonwealth a separate fund to be known as
20 the Clean Environment Fund. Amounts to be deposited in said Fund shall be used, subject to
21 appropriation, solely for programs and projects supporting the proper management of solid
22 waste, water resources, parkland, urban forestry, air quality and climate protection.

23 (b) Not less than 25 percent of amounts deposited in the Fund shall be used for a “Sustainable
24 Communities” grant program to cities and towns for advancing waste reduction, water quality,
25 water conservation, and improved air quality.

26 (c) Not less than 25 percent of the Funds shall be further deposited into the Water Pollution
27 Abatement Trust Grandfathered Drinking Water Fund established by Chapter 78 of the Acts of
28 1998 to enhance water quality efforts in the 24 designated water districts.

29 (d) Not more than 25 percent of amounts deposited in the Fund shall be used for climate
30 protection planning and implementation of projects and programs to reduce the impact of global
31 warming.

32 (e) Not less than 25 percent of amounts deposited in the Fund shall be used for grants to cities
33 and towns for community based park cleanup projects and urban forestry initiatives.