HOUSE DOCKET, NO. 2463 FILED ON: 1/17/2013

HOUSE . . . . . No. 729

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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:

An Act establishing the commission on extended producer responsibility.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*
Donald F. Humason, Jr.	*4th Hampden*
Sheila C. Harrington	*1st Middlesex*
Paul K. Frost	*7th Worcester*
Nicholas A. Boldyga	*3rd Hampden*
Kimberly N. Ferguson	*1st Worcester*
Matthew A. Beaton	*11th Worcester*

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 729) of Bradley H. Jones, Jr. and others for an investigation by a special commission (including members of the General Court) of producer responsibility laws related to the manufacture and post-consumer management of certain products. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2003* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act establishing the commission on extended producer responsibility.

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

SECTION 1. Notwithstanding any general or special law to the contrary, there shall be a special commission, referred to as the commission on extended producer responsibility, to study and report on implementing extended producer responsibility laws in the commonwealth. The commission shall consist of the secretary of energy and environmental affairs; the commissioner of environmental protection; 1 member of the department of business development; 3 members of the house of representatives, 2 of whom shall be appointed by the speaker of the house, and 1 of whom shall be appointed by the minority leader of the house; 3 members of the senate, 2 of whom shall be appointed by the senate president, and 1 of whom shall be appointed by the senate minority leader; and 2 members who shall be appointed by the governor.

The scope of the commission shall include, but not be limited to: researching, evaluating, and developing recommendations regarding the economic, environmental, and public health benefits and costs of extended producer responsibility laws related to the manufacture and post-consumer management of products including, but not limited to, the following: leftover paint, electronics, pesticides, household batteries, fluorescent lamps, phone books, carpet, medical sharps, consumer packaging and printed materials, pharmaceuticals, tires and mercury thermostats. The commission shall also research and make recommendations regarding the establishment of a comprehensive product stewardship approach, also known as a framework

18 approach, to create an statewide policy structure for product stewardship that may be applied to
19 an array of products. The commission shall consult with manufacturers, retailers, recyclers,
20 environmental advocacy organizations, local units of government, and other interested parties,
21 and shall provide at least one opportunity for public comment and the public review of the
22 commission's draft report. The commission report shall include, but not be limited to,
23 summaries of the following: (1) the existing infrastructure for managing post-consumer materials
24 and the need for improvements to make this infrastructure convenient for the public; (2) the need
25 for public education to reach target populations; (3) the need for incentives to change consumer
26 behavior; (4) the current extended producer responsibility laws and pending extended producer
27 responsibility legislation in other new england states and around the country; (5) the common
28 elements of extended producer responsibility laws; (6) the opportunities to maximize the
29 efficiency of extended producer responsibility programs by coordinating with other states in the
30 region; and (7) the methods for evaluating the effectiveness of extended producer responsibility
31 programs.

32 The commission shall submit its report of the findings and recommendations together
33 with recommendations for legislation to implement those recommendations by filing the same
34 with the executive office of energy and environmental affairs; the department of environmental
35 protection; the department of business development; the joint committee on environment, natural
36 resources and agriculture; and the clerks of the senate and the house no later than 1 year after the
37 passage of this bill.