

HOUSE No. 3057

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the reinstatement of the clean environment fund..

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
2 Official Edition is hereby amended by striking out the definitions for “beverage” and

3 “beverage container,” and inserting in place thereof the following definitions:-

4 “Beverage” soda water or similar carbonated soft drinks; non-carbonated beverages
5 including mineral water, flavored and unflavored water, spring water, and other water beverages,
6 tea, 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 dairy products, infant formula, and FDA- approved
10 medicines.

11 “Beverage container,” any sealable bottle, can, jar or carton which is primarily composed
12 of 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

definition shall not include containers made of paper-based biodegradable material and aseptic multi-material packaging.

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 Section 323F of Chapter 94 of the General Laws, as so appearing, is hereby amended by the striking out “Repealed, 2003,26 Sec 296,” and inserting in place thereof the following:-

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

Not less than 50 percent of amounts deposited in the Fund shall be used for a “Sustainable Communities” grant program to cities and towns for advancing waste reduction, water quality, water conservation, and improved air quality.

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

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