

**HOUSE . . . . . No. 435**

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**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 adoption of the accompanying bill:

An Act establishing the commission on extended producer responsibility.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/19/2017</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>10/24/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>10/24/2017</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>2/3/2017</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>10/24/2017</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>10/24/2017</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>10/24/2017</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>10/24/2017</i>

**HOUSE . . . . . No. 435**

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 435) of Bradley H. Jones, Jr., and others for an investigation by a special commission (including members of the General Court) relative to producer responsibility for the post-consumer management of certain products. Environment, Natural Resources and Agriculture.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 693 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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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:*

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

11           The scope of the commission shall include, but not be limited to: researching, evaluating,  
12 and developing recommendations regarding the economic, environmental, and public health  
13 benefits and costs of extended producer responsibility laws related to the manufacture and post-  
14 consumer management of products including, but not limited to, the following: leftover paint,  
15 electronics, pesticides, household batteries, fluorescent lamps, phone books, carpet, medical  
16 sharps, consumer packaging and printed materials, pharmaceuticals, tires and mercury  
17 thermostats. The commission shall also research and make recommendations regarding the  
18 establishment of a comprehensive product stewardship approach, also known as a framework  
19 approach, to create an statewide policy structure for product stewardship that may be applied to  
20 an array of products. The commission shall consult with manufacturers, retailers, recyclers,  
21 environmental advocacy organizations, local units of government, and other interested parties,  
22 and shall provide at least one opportunity for public comment and the public review of the  
23 commission’s draft report. The commission report shall include, but not be limited to, summaries  
24 of the following: (1) the existing infrastructure for managing post-consumer materials and the  
25 need for improvements to make this infrastructure convenient for the public; (2) the need for  
26 public education to reach target populations; (3) the need for incentives to change consumer  
27 behavior; (4) the current extended producer responsibility laws and pending extended producer  
28 responsibility legislation in other new england states and around the country; (5) the common  
29 elements of extended producer responsibility laws; (6) the opportunities to maximize the  
30 efficiency of extended producer responsibility programs by coordinating with other states in the  
31 region; and (7) the methods for evaluating the effectiveness of extended producer responsibility  
32 programs.

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