

HOUSE No. 435

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

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.

[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.