SENATE DOCKET, NO. 481 FILED ON: 1/13/2025

SENATE . . . . . No. 610

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy

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 re-establishing the Clean Environment Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Edward J. Kennedy	*First Middlesex*	
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*2/12/2025*
Joan B. Lovely	*Second Essex*	*3/31/2025*

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SENATE . . . . . No. 610

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 610) of Edward J. Kennedy and Jacob R. Oliveira for legislation to re-establish the Clean Environment Fund. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *509* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act re-establishing 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:

SECTION 1. Section 323D of Chapter 94 of the General Laws, as so appearing in the 2022 Official Edition, is hereby amended by the striking out, in lines 5 through 8, inclusive, the last sentence, and inserting in place thereof, the following sentence:- Forty per cent of the amounts collected by the commission of revenue pursuant to this section shall be deposited in the Clean Environment Fund, established pursuant to Section 323G.

SECTION 2. Chapter 94 of the General Laws is hereby amended by inserting after Section 323E, the following new section:

Section 323G. (a) There shall be established and set upon the books of the Commonwealth a separate fund to be known as the Clean Environment Fund, hereinafter

10 referred to as the fund. The fund shall be credited with 40 per cent of the monies collected by the
11 commissioner of revenue from deposit amounts for abandoned beverage containers under
12 Section 323D, any appropriation or other monies authorized by the General Court which are
13 specifically designated to be credited to the fund, and any income derived from the investment of
14 amounts credited to the fund.

15 (b) The secretary of energy and the environment shall administer the fund. All amounts
16 credited to the fund may be expended without appropriation only for the following purposes:

17 (1) Not less than 60 per cent of the monies credited annually to the fund shall be used to
18 provide funding for state and municipal: solid waste reduction, recycling, littering, and
19 composting programs and initiatives; outreach programs; sustainable material recovery programs
20 and initiatives; and recycling equipment and infrastructure improvements. Expenditures for such
21 programs, initiatives and infrastructure may include, but are not limited to: (i) municipal
22 programs for recycling, litter reduction, and waste reduction, such as unit-based pricing, pay-as-
23 you-throw (PAYT) programs, save money and reduce trash (SMART) programs, single stream
24 recycling collection programs, organic and food waste composting programs and initiatives, and
25 programs to increase recycling in public areas and facilities; (ii) municipal grants for waste
26 recycling equipment and infrastructure improvements; (iii) grants for waste recycling, food waste
27 composting, and food recovery programs in schools; (iv) programs to increase commercial and
28 institutional recycling and composting; (v) financial assistance equipment grants for recycling
29 service providers; (vi) municipal grants for litter cleanup and disposal, education, and
30 enforcement of litter laws; (vii) programs for the enforcement of the solid waste regulations by
31 the department of environmental protection; and (viii) innovative initiatives and programs to
32 reduce or recycle solid wastes.

33 (2) Any remaining amounts credited annually to the fund shall be used for improvements
34 to state parks, state forest recreation areas and state reservations that are under the control of the
35 department of conservation and recreation; provided the improvements, if applicable, shall meet
36 or exceed the current Leadership in Energy and Environmental Design (LEEDS) building
37 standards established by the U.S. Green Building Council.

38 (c) Monies deposited into the fund that are unexpended at the end of the fiscal year shall
39 not revert to the General fund and shall be available for expenditure in the subsequent fiscal year.
40 The fund shall be exempt from any indirect and fringe benefits assessment related to the
41 administration of the fund.

42 (d) The secretary of energy and environmental affairs shall report annually, not later than
43 January 15, to the house and senate committees on ways and means and the joint committee on
44 environment, natural resources and agriculture relative to the source and amount of funds
45 deposited into the fund, and the amount distributed to each recipient, and the purpose of
46 expenditures from the fund.

47 SECTION 3. Chapter 132A of the General Laws is hereby amended by inserting after
48 Section 2D, the following section:-

49 Section 2E. The commissioner shall establish a program to promote the recycling of
50 refuse and reduce littering at all state parks, state forest recreation areas, and state reservations
51 that are maintained and under the control of the department.

52 In the development and improvement of said state parks, state forest recreation areas and
53 state reservations, the commissioner shall require, if feasible, that the completed development or
54 improvement provide for any needed recycling of refuse.