HOUSE DOCKET, NO. 2384 FILED ON: 1/20/2011

HOUSE . . . . . No. 2604

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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 to enhance the clean environment and protect water resources.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Garrett J. Bradley	*3rd Plymouth*
Robert L. Hedlund	*[District]*

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HOUSE . . . . . No. 2604

By Mr. Bradley of Hingham, a petition (accompanied by bill, House, No. 2604) of Garrett J. Bradley and Robert L. Hedlund relative to including certain beverage containers in the "bottle law", so-called. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3062* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to enhance the clean environment and protect water resources.

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 321 of chapter 94 of the General Laws, as appearing in the 2004 Official Edition is hereby amended by striking out the definitions for “beverage” and “beverage container,” and inserting in place thereof the following definitions:—

“Beverage” soda water or similar carbonated soft drinks; non-carbonated beverages including mineral water, flavored and unflavored water, spring water, and other water beverages, tea, sports drinks, isotonic drinks; beer and other malt beverages; wine and wine-based drinks; spirits and spirit-based drinks; hard cider; and all other non alcoholic carbonated and noncarbonated drinks in liquid form intended for human consumption except milk and beverages that are primarily derived from daily products, infant formula, and FDA approved medicines.

“Beverage container,” any sealable bottle, can, jar or carton which is primarily composed of glass, metal, plastic, or any combination of those materials and is produced for the purpose of 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.

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17 amended by the striking out "Repealed, 2003, 26 Sec 296," and inserting in place thereof the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

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

23 (b) Not less that 25 percent of amounts deposited in the Fund shall be used for a
24 "Sustainable Communities" grant program to cities and towns for advancing waste reduction,
25 water quality, water conservation, and improved air quality.

26 (c) Not less than 25 percent of the Funds shall be further deposited into the Water
27 Pollution Abatement Trust Grandfathered Drinking Water Fund established by Chapter 78 of the
28 Acts of 1998 to enhance water quality efforts in the 24 designated water districts.

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

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