

By Mr. Durand, petition (accompanied by bill, Senate, No. 304) of Robert A. Durand for legislation relative to redemption of empty beverage containers. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT RELATIVE TO REDEMPTION OF EMPTY BEVERAGE CONTAINERS.

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 323 of Chapter 94 of the General Laws,
2 as appearing in the 1986 Official Edition, is hereby amended by
3 inserting after subsection (g) the following: —

4 (h) The obligations to accept or take empty beverage containers
5 and to pay the refund value and handling fees for such containers
6 as described in subsection (b), (c), (d) and (e) of this section apply
7 only to containers originally sold in the Commonwealth as filled
8 beverage containers which he knows or has reason to know were
9 not originally sold in the Commonwealth as filled beverage
10 containers for the purpose of obtaining a refund value or handling
11 fee shall be subject to enforcement action and civil penalties set
12 forth in section three hundred and twenty-seven, the term person
13 shall include any individual, partnership, corporation, or other
14 combination or entity.

1 SECTION 2. Said Chapter 94 is hereby further amended by
2 striking the period at the end of Section 327, inserting in its place
3 a semicolon, and inserting thereafter the following: — provided
4 however, that any person, including a bottler, distributor,
5 redemption center or dealer, who violates the provisions of
6 Subsection (h) of section three hundred and twenty-three shall be
7 subject to a civil penalty of the greater of one hundred dollars
8 for each tender of containers.

