

By Mr. Magnani of Framingham, petition of David P. Magnani that the Department of Environmental Quality Engineering and the Department of Public Health be directed to establish a program for reducing the use of disposable diapers. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

AN ACT REDUCING THE USE OF DISPOSABLE DIAPERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 21H of the General Laws is hereby amended by
2 inserting after section 7 the following section: —

3 Section 7A. The department shall, in consultation with the
4 department of public health, establish a program to encourage the
5 use of recyclable diapers and discourage the use of throwaway or
6 disposable diapers during the years nineteen hundred and ninety-
7 two and nineteen hundred and ninety-three.

8 On and after January first nineteen hundred and ninety-four
9 no person shall sell, offer for sale or have in his possession for
10 sale or distribution, any disposable, single use diapers that are not
11 biodegradable or photodegradable.

12 Beginning on January first, nineteen hundred and ninety-two,
13 the department shall require all manufacturers of such disposable
14 diapers sold in the commonwealth to inscribe or print in bold type
15 on every package of such disposable diapers sold after that date,
16 an environmental warning statement including information to the
17 public about cloth diapers. If the department deems it in the public
18 interest to finance the program, it may recommend a suitable and
19 reasonable tax on such diaper sales and provide for the funding
20 of a pilot program to measure the cost savings and the ease of
21 switching from plastic to cloth diapers. No tax recommendation
22 shall exceed one cent per diaper.

23 The department may promulgate such reasonable rules and
24 regulations to implement the provisions of this section and
25 provide therein such civil penalties as it deems appropriate for any
26 violations.