

HOUSE No. 3057

By Mr. Basile of Boston, a petition (accompanied by bill, House, No. 3057) of Carlo P. Basile and others relative to the definition of beverage containers and reinstatement of the clean environment fund. Telecommunication, Utilities and Energy.

The Commonwealth of Massachusetts

PRESENTED BY:

Carlo P. Basile

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 bill:

An Act relative to the reinstatement of the clean environment fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Carlo P. Basile	1st Suffolk
Robert M. Koczera	11th Bristol
Thomas M. Menino	Mayor of Boston
Denise Provost	27th Middlesex
Carl M. Sciortino, Jr.	34th Middlesex
Elizabeth A. Malia	11th Suffolk
Kay Khan	11th Middlesex
John W. Scibak	2nd Hampshire
Tom Sannicandro	7th Middlesex
Mary E. Grant	6th Essex
Michael F. Rush	10th Suffolk
Paul McMurtry	11th Norfolk
Anthony D. Galluccio	Middlesex, Suffolk and Essex
James J. O'Day	14th Worcester District
Martha M. Walz	8th Suffolk
Cory Atkins	14th Middlesex

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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AN ACT RELATIVE TO THE REINSTATEMENT OF 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:

1 SECTION 1. Section 321 of chapter 94 of the general Laws, as appearing in the 2004 Official Edition is
2 hereby amended by striking out the definitions for "beverage" and

3 "beverage container," and inserting in place thereof the following definitions:-

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

10 "Beverage container," any sealable bottle, can, jar or carton which is primarily composed of glass, metal,
11 plastic, or any combination of those materials and is produced for the purpose of containing a beverage,
12 which, at the time of sale, contains four liters or less of a beverage. This definition shall not include
13 containers made of paper-based biodegradable material and aseptic multi-material packaging.

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

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

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- (b) Not less than 50 percent of amounts deposited in the Fund shall be used for a "Sustainable Communities" grant program to cities and towns for advancing waste reduction, water quality, water conservation, and improved air quality.
- (c) Not more than 25 percent of amounts deposited in the Fund shall be used for climate protection planning and implementation of projects and programs to reduce the impact of global warming.
- (d) Not less than 25 percent of amounts deposited in the Fund shall be used for grants to cities and towns for community based park clean up projects and urban forestry initiatives.