HOUSE DOCKET, NO. FILED ON: 1/14/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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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 bill:

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

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Garrett J. Bradley | 3rd Plymouth |
| Robert L. Hedlund |  |

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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.  
  
SECTION 2. Section 323F of Chapter 94 of the General Laws, as so appearing, is hereby amended by the striking out “Repealed, 2003, 26 Sec 296,” and inserting in place thereof the following:—  
(a) There shall be established on the books of the commonwealth a separate fund to be known as the Clean Environment Fund. Amounts to be deposited in said Fund shall be used, subject to appropriation, solely for programs and projects supporting the proper management of solid waste, water resources, parkland, urban forestry, air quality and climate protection.  
(b) Not less that 25 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 less than 25 percent of the Funds shall be further deposited into the Water Pollution Abatement Trust Grandfathered Drinking Water Fund established by Chapter 78 of the Acts of 1998 to enhance water quality efforts in the 24 designated water districts.  
(d) 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.  
(e) Not less than 25 percent of amounts deposited in the Fund shall be used for grants to cities and towns for community based park cleanup projects and urban forestry initiatives.