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

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Paul Kujawski**

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

*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 prevent fraudent redemption of empty beverage containers subject to the bottle law.

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

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Paul Kujawski | 8th Worcester |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3326 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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

An Act to prevent fraudent redemption of empty beverage containers subject to the bottle law.

 *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 323 of Chapter 94 of the Massachusetts General Laws is hereby amended by adding the following at the end thereof:
J. All vending machines in the Commonwealth which accept and redeem empty beverage containers subject to this Section from consumers, shall be designed to identify and redeem only beverage containers upon which a refund value is imposed and collected, and to reject beverage containers which are not subject to a refund value. No such vending machine may be sold or leased to, or otherwise placed in operation, at a dealer or redemption center location after May 1, 2001, which is not in compliance with this section. Any such vending machines operating at dealer or redemption center locations in the Commonwealth prior to May 1, 2001 may continue in operation, but must be re-designed by the machine manufacturer to comply with this section. The Secretary of Environmental Affairs shall determine the schedule for implementing compliance by existing machines based upon a finding by the Secretary that the technology is available for the machines to properly identify and redeem only beverage containers with a refund value and reject all other beverage containers. In no event shall this subsection be interpreted to authorize the Secretary to mandate any additional labeling so that vending machines can better identify Massachusetts containers.