

HOUSE No.

The Commonwealth of Massachusetts

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

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:

1 SECTION 1. Section 321 of chapter 94 of the General Laws, as appearing in the 2004 Official
2 Edition is hereby amended by striking out the definitions for “beverage” and “beverage container,” and
3 inserting in place thereof the following definitions:— “Beverage” soda water or similar carbonated soft
4 drinks; non-carbonated beverages including mineral water, flavored and unflavored water, spring water,
5 and other water beverages, tea, sports drinks, isotonic drinks; beer and other malt beverages; wine and
6 wine-based drinks; spirits and spirit-based drinks; hard cider; and all other non alcoholic carbonated and
7 noncarbonated drinks in liquid form intended for human consumption except milk and beverages that are
8 primarily derived from dairy products, infant formula, and FDA
9 approved medicines. “Beverage container,” any sealable bottle, can, jar or carton which is primarily
10 composed of glass, metal, plastic, or any combination of those materials and is produced for the purpose
11 of containing a beverage, which, at the time of sale, contains four liters or less of a beverage. This
12 definition shall not include containers made of paper
13 based biodegradable material and aseptic multi-material packaging.

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16 striking out “Repealed, 2003, 26 Sec 296,” and inserting in place thereof the following:—

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

21 (b) Not less than 25 percent of amounts deposited in the Fund shall be used for a “Sustainable

22 Communities” grant program to cities and towns for advancing waste reduction, water quality, water
23 conservation, and improved air quality.

24 (c) Not less than 25 percent of the Funds shall be further deposited into the Water Pollution Abatement
25 Trust Grandfathered Drinking Water Fund established by Chapter 78 of the Acts of 1998 to enhance
26 water quality efforts in the 24 designated water districts.

27 (d) Not more than 25 percent of amounts deposited in the Fund shall be used for climate protection
28 planning and implementation of projects and programs to reduce the impact of global warming.

29 (e) Not less than 25 percent of amounts deposited in the Fund shall be used for grants to cities and towns
30 for community based park cleanup projects and urban forestry initiatives.

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