HOUSE DOCKET, NO. 2666 FILED ON: 1/21/2011

HOUSE . . . . . No. 2603

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Binienda

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:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John J. Binienda	*17th Worcester*

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HOUSE . . . . . No. 2603

By Mr. Binienda of Worcester, a petition (accompanied by bill, House, No. 2603) of John J. Binienda for legislation to prevent fraudulent redemption of empty beverage containers subject to the bottle law. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

An Act to prevent fraudulent 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.