

HOUSE No. 01990

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

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 plastic bag reduction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>William N. Brownsberger</i>	<i>24th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>
<i>Martha M. Walz</i>	<i>8th Suffolk</i>
<i>Ruth B. Balse</i>	<i>12th Middlesex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>

<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>
<i>Gailanne Cariddi</i>	<i>1st Berkshire</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>
<i>Katherine M. Clark</i>	<i>Middlesex and Essex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>
<i>William M. Straus</i>	<i>10th Bristol</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>

HOUSE No. 01990

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 1990) of Garballey and others relative to reducing the use of non-compostable plastic bags in retail sales Joint Committee on Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to plastic bag reduction.

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. Chapter 21, as appearing in the Official Edition, is hereby amended by inserting
2 after section 21N the following chapter:-

3 CHAPTER 21O. PLASTIC BAG REDUCTION ACT

4 Section 1. As used in this chapter, the following words shall, unless the context clearly requires
5 otherwise, have the following meanings:

6 “Commissioner”, the commissioner of the department of environmental protection.

7 “ASTM standard”, the American Society for Testing and Materials (ASTM)’s International
8 standard D6400 for compostable plastic, and other such standards as deemed acceptable by the
9 commissioner; standards may be amended from time to time.

10 “Compostable plastic bag”, a plastic bag that (1) conforms to the current ASTM standard
11 for compostability; (2) is certified and labeled as meeting the ASTM standard by a recognized
12 verification entity such as the Biodegradable Product Institute; (3) other standards deemed
13 acceptable by the commissioner

14 “Checkout bag”, a carryout bag provided by a store to a customer at the point of sale.

15 “Department”, the department of environmental protection.

16 “Person”, an individual, trust, firm, joint stock company, corporation, cooperative,
17 partnership, or association.

18 “Reusable bag”, a bag with handles that is specifically designed and manufactured for
19 multiple reuse and is either (1) made of cloth or other machine washable fabric, or (2) made of
20 durable plastic that is at least 2.25 mils thick.

21 “Retail establishment”, any retail store 4,000 square feet or over.

22 Section 2. (a) If a retail establishment provides plastic checkout bags to customers, the bags
23 must only be compostable plastic bags.

24 (b) Nothing in this section shall be read to preclude any establishment from making reusable
25 checkout bags available for sale to customers.

26 (a) The enforcement and penalty provisions of section 16 of chapter 21A shall apply to this
27 chapter.

28 (b) The commissioner shall promulgate rules and regulations to implement this section.

29 Section 3. All of the requirements set forth in this act shall take effect 12 months after its
30 effective date.