Update the Bottle Bill

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Michael Abrams ’15
Yuan “Flora” Wang ’15

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ince its passage in 1983, the Bottle Bill has very effectively increased recycling throughout the state by placing a 5-cent deposit on covered containers, which include: beer, malt, carbonated soft drinks, and mineral water. More than 80% of these containers are recycled as a result. In the past three decades, numerous new bottled beverages – sports drinks, bottled water, and juices – have come onto the market, but the Bottle Bill has not been updated to reflect these changes. Only 22% of these containers are recycled – a rate that must be increased or else Massachusetts will continue its dangerously wasteful ways. The solution to this problem is simple: S.1588: the update to the Bottle Bill. It would expand the 5-cent deposit to these newer containers.

■ The Bill

S.1588: An Act updating the bottle bill.

■ Excerpt from Storybook

“We need this Update to fix a loophole in the Bottle Bill that has existed since its passage in 1983. When Governor Ed King tried to make the first official purchase of a bottle under the Bill, he chose a bottle not covered by the Bill. Made of the same materials, it was simply not included in the original bill, it should have been. Here’s our chance to make things right!” (Bob Hedlund, Massachusetts State Senator)

“This is just a matter of updating the law that has been so successful.” (Cynthia Creem, Massachusetts State Senator)

“There are bottles filling up landfills...bottles that are going to be there well beyond any of our lives.” (Alice Wolf, Former Massachusetts State Representative)

By placing a 5-cent deposit on every bottle in the state excluding dairy products, infant formula, and FDA approved medication, the Update to the Bottle Bill will:
• Transform the more than 1 billion unrecycled bottles into an upwards of $14 million to reinvigorate the Clean Environment Fund, which will
fund recycling programs and maintain our beautiful state parks

- Strengthen our economy by adding an estimated 1500 jobs to the recycling and waste management sector, while reducing the harmful strain on our landfills
- Improve public health by reducing litter and keeping our environment safe for ourselves and our children

**Elevator Speech**

Hello. My name is Michael and this is my colleague Flora who is a voter in Massachusetts. We are both students at Brandeis University, a school well known for its deep engagement with real world public policy issues, and we are working with MASSPIRG to help ensure a thriving, vibrant future for the citizens of the Commonwealth. Bill: H.2943/S.1588 “An Act updating the bottle bill,” would reduce the more than 1 billion bottles – enough to fill Fenway Park – that litter our beautiful state, from the historic city of Boston to the pristine shores of Cape Cod to our Western hub of activity in Springfield. This update to the 30-year old law expands the five cent deposit on beverage containers and brings Massachusetts into modern times where the beverages we enjoy no longer come just in soda and juice bottles. Of course, all of these bottles are made of the exact same plastic as currently covered bottles are! This update to the Bottle Bill would reduce the strain on waste services, create 1500 recycling jobs, and keep Massachusetts clean and thriving for ourselves, our children, and the many visitors who frequent the Commonwealth. More than 77% of Massachusetts residents, 200 cities and towns, 350 businesses small and large, and 95 state legislators support this bill. Please join this momentum and vote to give the Bottle Bill a favorable report and help keep Massachusetts vibrant and sustainable!

**Letter to the Legislator**

To Representative Kenneth I. Gordon,

Every time I visit home on my drive back from Brandeis University, I pass by the various businesses on Cambridge Street. Bustling with activity from local families stopping at Schoolhouse Ice Cream for dessert or buying books at the Used Book Superstore, I have not noticed until recently all the litter that accumulates near the parking lots. Although there are many recycling bins and redemption locations at supermarkets, why do these bottles still linger? Why there is no additional incentive for people to recycle water bottles like there is for soda?

I believe that our beautiful Burlington deserves the best and therefore should have the proper incentive to increase recycling to decrease litter in our town.

While there are many recyclable bottles that can be redeemed for money, not all bottles are covered equally since some can be redeemed for the five cent deposit while others may not. Nearly three decades ago Massachusetts had passed a Bottle Bill in order to increase recycling in the state and it effectively raised recycling rates for those bottles to over 80%. Now is the time to pass the sequel, S.1588: An Act updating to the bottle bill. The bill aims to include new types of drinks that were previously not included in the original bottle bill so that people can get the benefit of redeeming it for a five cent deposit. New inclusions would include water, juice, sports drinks, and more. Some may say this is a tax but consumers can receive a full refund, which is not something that generally happens with taxes. In addition, another issue that has arisen is that this will upset the bottle and soda companies but many have publicly come out to show support for the Bottle Bill including large corporations like Coca-Cola. Moreover, all unclaimed funds will go to the Clean Environment Fund, which will support recycling programs throughout the state and fund needed environmental clean up projects. Revenue generated by the bill will produce thousands of jobs in the recycling industry and create a litter free state we can all be proud of.

Please speak to your colleagues in the Joint Committee on Telecommunications, Utilities, and Energy and ask them to give the Bottle Bill a favorable report. Together, we can make sure Massachusetts has a clean and sustainable future.

**House Ways and Means Script**

Mr. Dempsey, we all have a responsibility to the welfare of Massachusetts. As an elected representative committed to social justice, you understand that this should be top priority for our state. Given your past work on an “Act Relative to Green Communities,” it is clear you care about these issues. There exists a great problem in Massachusetts dealing with waste and public health. Every year, there are over 1.1 billion bottles not being recycled, which could and should be. That is enough bottles to fill Fenway Park and they cost the taxpayers over $7 million annually. The state is running out of landfill space and something must be done to curb this problem. Fortunately there is a clear solution, the update to the bottle bill, S.1588. It would add sports drinks, iced tea, water, and juices, among many other commonplace beverages. These bottles would now include a 5-cent deposit that consumers can redeem at any
official redemption center, reverse vending machines, or retailer from whom the consumer bought the bottle. As a testament to the impact of an updated bottle bill, 80% of bottles currently included in the bottle bill are recycled while only 20% of non-covered bottles are. The bill can effectively promote recycling, but for it to be optimally efficient to this end, it must be expanded.

The entire Bottle Bill regime will cost the state nothing, as it is the bottling industry and the consumers that finance it. The state merely collects unclaimed deposits and regulates the system in regards to deposit rates, handling fees [payments from bottlers to redemption centers/retailers to offset the cost of processing redeemed bottles], and ensuring fraud does not take place. Also, fraud is an easily solved problem by placing barcodes on Massachusetts’ bottles that are unique to the state, ensuring out-of-state bottles cannot be redeemed.

There are clear financial benefits to the state passing the update to the bottle bill. Even though recycling rates will greatly increase following the bill’s passage, unclaimed deposits will certainly exist. These deposits will generate revenue for the state government that is to be used to revitalize the Clean Environment Fund. Under the original Bottle Bill the Fund was created to support recycling programs and solid waste management. The update to the bottle bill would recreate the Fund and utilize unclaimed deposits to finance it.

Moreover, the update to the bottle bill will bolster the state’s economy in regards to employment numbers. The Massachusetts Sierra Club and MASSPIRG estimate a net increase of 1500 jobs would result from the bill. This is because of the increase in recycling rates the Bottle Bill will prompt. The extra recycling will place much greater demands on the state’s recycling infrastructure, necessitating more jobs. In fact, 4,684 jobs were added to Michigan’s economy after a new bottle bill was passed in that state while New York added 3,800 jobs to its economy following the creation of a similar law. Considering Massachusetts’ 6.7% unemployment rate, those 1500 or more jobs would be an excellent way to start lowering that number.

Opponents to the Bill raise two chief objections: that the Bill represents a new tax on consumers and that it will raise the costs of these beverages. Both assertions are completely false. The Bottle Bill cannot be a tax when consumers simply have to return their bottle to a redemption center or retailer, to get every cent back. As for rising costs of beverages, an extensive study conducted by the Massachusetts Department of Environmental Protection in 2011 revealed prices are negligible between bottle bill and non-bottle bill states. Those against the bill also believe it is unnecessary because curbside recycling programs already exist. However, inner cities and rural areas do not have the most effective curbside programs and consumers are not always near home or a recycling bin when they have a bottle. The Update to the Bottle Bill incentivizes those consumers to find a redemption center rather than simply toss their bottle in the garbage and exacerbate the waste issues in Massachusetts.

Nevertheless, the Bottle Bill is just one of many acts needed to address the various environmental issues affecting Massachusetts. It will be an excellent complement to past legislation such as your own “Act Relative to Green Communities.” Although the Bottle Bill has a very different aim, both acts benefit the environment of Massachusetts. The latter improves the state’s environment by reducing litter and allocating funds to strengthen the commonwealth’s waste and recycling infrastructure. This not only improves the state’s ecosystem but also enhances the state’s economy via energy savings, job creation, and new environmental standards.

With 95 cosponsors between the House and Senate along with more than 100 environmental organizations, 200 cities and towns, and 350 businesses endorsing the bill, it is clear support for it is high. Additionally, a recent poll conducted by the MassINC polling group indicated that 77% of the public supports the update and thus the democratic will is on the side of this valuable piece of legislation. Our request Chairman Dempsey is quite simple; when you have the chance to vote on the Bottle Bill, please vote in favor of it. If you believe in the merit of the bill, please speak with your colleagues, especially those on the Committee on Environment, Natural Resources, and Agriculture, to garner even more support for it. The update is a simple solution to a complex problem and it is an effective and long overdue remedy to issues we can no longer afford to ignore.

Op-Ed

The energy in sugar I receive from a bottle of juice will be used up in a day but the container that the bottle came in will outlast my lifetime by centuries. Unrecycled, this bottle will wander the streets and sewers aimlessly until it settles itself in a nook in nature. There, it will rest as nature slowly works to break down its resilient material as it resists the endless forces of weather and season.

But why is this bottle going to rot in nature while another bottle gets to go to the recycling plant just because it held juice instead of soda? Given that these two bottles were made equal in a far away plastic facility, why should their fates differ?
The stark truth is that there should be no difference between these two bottles. When the first Bottle Bill was passed in 1981, the only beverages that were applicable for the five cent redemption were soda, beer and other alcoholic beverages. With changing times and different market standards, now a large part of the bottled beverage industry includes water, juice, and other drinks that were not popular at the time of the original Bottle Bill. Given that social standards are the only difference between these two kinds of bottles, shouldn’t social policy reflect the needs of the people?

Some Massachusetts residents have thought that the Bottle Bill is merely a tax and have rejected it on premise. This is a false assumption since it is truly revenue neutral. The bill itself is revenue neutral but for all the unredeemed bottles, the funds then become part of the Clean Environment Fund. This money is set aside to be used on projects in towns around Massachusetts in order to fund solutions to solve specific problems. Remember, when the same nickel is given and then taken back, it’s not a tax on the Commonwealth!

By passing the Update to the Bottle Bill, MA aims to equalize the fate of these two plastic bottles. This bill aims to add a five cent deposit on all plastic bottles that would be eligible for recycling so that people would be incentivized to bring them to their local deposit center. This not only revitalizes recycling programs in the state but also lets the state regain revenue in economically harsh times. In addition, there will be job creation since there will be an increased demand at both the recycling plants and the redemption centers. Another benefit is that this will combat global warming overall since this will decrease the amount of PET plastic needed to be made.

With over 80 sponsors and 70% of the MA constituents, the Update to the Bottle Bill is clearly a popular choice. But it still needs more support to get it passed in this legislative session. Take charge and contact your representatives and senators. Stand strong knowing that you are in the majority with MA residents who want to see a change in our state. Make sure that this bill finally gets its day in court and the speaker does not silence its voice! Let’s make the stories of soda and water bottles in this state equal and environmentally sustainable!

**Excerpts from Campaign Journals**

**Flora**

Throughout our various trips to the statehouse we had made contact with various aides and one of the meetings that really stood out to me was meeting Representative Mark J. Cusack’s aide and discussing the concerns of his constituents with him. As a Democratic Representative of Braintree, he had special interest representing his town as well as economics since he currently serves on the Joint Committee on Revenue and Transportation. This experience showed me how representatives always have to consider multiple factors while making a decision and it is sometimes very difficult to balance an immediate need with a long-term concern.

When we first walked into Representative Cusack’s office, we were greeted by his aide who told us that the representative was busy in a meeting. We sat in the office and were able to have a decently long conversation over the representative’s concerns with the Bottle Bill. The initial issue that had arisen was that since the transportation budget was going to take up such a large portion of the current economic expenditures, the representative did not want to pass something that would additionally stress the economy. We were able to quickly dispel this myth and discussed at length about why the Update to the Bottle Bill will be revenue neutral and in fact bring money back into the economy. In addition, we discussed all the job creation opportunities that will come with the increased level of recycling in the state that will demand more jobs at redemption and recycling centers. Another issue that has concerned Braintree recently is litter on the streets and many people being confused about where and how to recycle. A solution that we had mentioned was that the money from the unredeemed bottles would go towards the Clean Environment Fund that could be used to fund those projects. In the end, the aide was more convinced by the intentions and the abilities of the Update to the Bottle Bill but was still somewhat skeptical. A large part of his decision seemed contingent on other issues and bills that were being considered.

This was a meaningful advocacy experience for us because we say that we actively changed someone’s mindset on the Bottle Bill from being apprehensive to open to the idea. This not only shows that advocacy efforts can be effective but also that policymakers are open to changes on their stance when they see there is a pressing need. If I can redo this experience I would be open to attempting to lead the conversation more towards the environmental and social benefits rather just the economic benefits given that was the concern of the aide it was understandable to why that was crucial to focus on in the conversation we had with him.
Michael

On Saturday, April 6th I attended “The Battle for the Bottle Bill,” an event held to rally supporters of the Bottle Bill. It was hosted by Massachusetts comedian Jimmy Tingle and included numerous special guests including MASSPIRG Executive Director Janet Domenitz, Bottle Bill sponsors including State Senator Bob Hedlund, Ken Donnelly, and Sean Garballey. It took place at the Regent Theatre in Arlington, Massachusetts. The Regent is a small theatre—but all 150-200 seats or so were packed. It was a very entertaining and informative event. Tingle offered stand-up comedy, the various guest speakers were interviewed, and lots of cheers went up in support of the Bottle Bill.

Although I knew much of the information about the Bottle Bill before the event, I heard some very interesting stories about the Bill’s history and got some new perspectives on the Bill. Sen. Hedlund told an amusing yet insightful story about how when the Bottle Bill was first passed, Governor Ed King tried to make the first official purchase of a bottle covered under the law. Unfortunately, he chose a bottle not covered by it and thus it had no 5 cent deposit. This perfectly illustrates the inconsistency in the current Bottle Bill and how the proposed Update is merely closing a loophole. I have used this story while advocating at the state house (such as when speaking with Rep. Timilty’s aide) and while talking to friends and members of the public about the Bill. Moreover, I asked the three State legislators at the meeting if Governor Patrick’s suggestion to use Bottle Bill funds to help close the budget gap has impacted the Bill in the State House. They informed me that suggestion was struck from the budget when the Senate released their version of it. This omission of the Bottle Bill from the budget disheartened me but at the same time made me realize how important my and my fellow advocates’ efforts are. Even with so much support around the state and in the legislature, obstacles still exist and I realized I need to work harder—into the summer and beyond if needed, to get this essential legislation passed. I also intend to find footage of the event (once it is posted online) and incorporate it into an advocacy video and future campaign events.

Additionally, I finally connected with Janet Domenitz—I had a brief conversation with her about Flora’s and my campaign for the Bottle Bill. I also met an activist from a nearby town and spoke with him throughout the event about better ways to organize and campaign for the Bottle Bill, as well as other solutions to the environmental crisis we face.

Update

As of May 24, 2013, S.1588 was adopted by the State Senate as an amendment to the budget.

For more information

MassPIRG

http://www.masspirg.org/issues/map/update-bottle-bill