HOUSE DOCKET, NO. FILED ON: 1/13/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Michael F. Rush**

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*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 Require Recycling in Public Buildings.

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

PETITION OF:

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| --- | --- |
| Name: | District/Address: |
| Michael F. Rush | 10th Suffolk |
|  |  |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 853 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act To Require Recycling in Public Buildings.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

 Chapter 21A of the General Laws, as appearing in the 2004

Official Edition, is hereby amended by inserting after section 20

the following new section:—

Section 21. (a) As used in this section the following words shall

have the following meanings:—

“Agency”, any state agency, state authority, state higher education

facility or state office.

“Cathode ray tubes”, any intact, broken, or processed glass tube

used to provide the visual display in televisions, computer monitors

and certain scientific instruments such as oscilloscopes.

“Court”, any trial court department, appeals court and the

supreme judicial court.

“Construction and demolition”, asphalt pavement, brick, wood,

metal and concrete from construction activities and demolition of

buildings, roads and bridges and similar sources.

“Glass Containers”, glass bottles and jars (soda-lime glass) but

excluding light bulbs, Pyrex cookware, plate glass, drinking

glasses, windows, windshields and ceramics.

“Fluorescent lamp”, an electric lamp to which the manufacturer

intentionally introduces mercury for the operation of the lamp,

including , but not limited to fluorescent, compact fluorescent,

black lights, high intensity discharge lamps, ultraviolet lamps and

neon lamps.

“Lead Batteries”, lead-acid batteries used in motor vehicles or

stationary applications.

“Metal Containers”, aluminum, steel or bi-metal beverage and

food containers.

“Recyclable paper”, all paper, corrugated cardboard, and paperboard

products, except tissue paper, toweling, paper plates and

cups, wax-coated corrugated cardboard, and other low-grade

paper products.

“Single polymer plastics”, all narrow-neck plastic containers

where the diameter of the mouth of the container is less than the

diameter of the body of the container. This includes single polymer

plastic containers labeled 1-6.

“State Sustainability Program”, State Sustainability Program

within executive office of environmental affairs.

“Tires”, a continuous solid or pneumatic rubber covering intended

for use on a motor vehicle.

“White goods”, appliances employing electricity, oil, natural

gas or liquefied petroleum gas to preserve or cook food; wash or

dry clothing, cooking or kitchen utensils or related items; or to

cool or to heat air or water, including, but not limited to, refrigerators,

freezers, air conditioners, water coolers, dishwashers, clothes

washers, clothes dryers, gas or electric ovens and ranges, and hot

water heaters. White goods do not include microwave ovens.

“Yard Waste”, deciduous and coniferous seasonal depositions,

such as leaves, grass clippings, weeds, hedge clippings, garden

materials, and brush 1 (one) inch or less in diameter (excluding

diseased plants).

(b) By January 1, 2010, every agency and court, individually or

in conjunction with other agencies or courts, and the General

Court shall recycle the following materials: lead batteries, metal

containers, glass containers, single polymer plastics, recyclable

paper, yard waste, tires, white goods, fluorescent lamps, cathode

ray tubes or the product that contains the cathode ray tube and

construction and demolition material.

(c) The State Sustainability Program shall provide recycling

guidance to establish and implement a waste generation and recyclable

material generation reporting system for agencies, courts

and the General Court. Agencies and courts with more than 50

employees located in a state owned building and the General

Court shall be required to submit said reports. In the event an

agency or court is located in a facility where the waste management

is handled by another agency or court, the agency or court

responsible for waste management shall be responsible for submitting

said reports Said reports shall, where feasible, include, but

not be limited to the following:

 (1) Tonnage of solid waste generated by the agency, court or

General Court; and

(2) Tonnage of waste recycled by agency, court or General

Court; and

(3) A breakdown of the tonnage of materials in subsection (b).

Said reports shall be submitted to the State Sustainability Program

at least annually.

(d) Every lease agreement entered into by an agency or court after

the effective date of this section shall contain a provision that

requires recycling pursuant to the terms of this act, and, where feasible,

requires the landlord to report on agency or court waste generation

and recycling data pursuant to section (c) of this act.

(e) The executive office of environmental affairs may promulgate

rules and regulations regarding this act.