

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Michael F. Rush**

*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:

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:*

1 Chapter 21A of the General Laws, as appearing in the 2004  
2 Official Edition, is hereby amended by inserting after section 20  
3 the following new section:—  
4 Section 21. (a) As used in this section the following words shall  
5 have the following meanings:—  
6 “Agency”, any state agency, state authority, state higher education  
7 facility or state office.  
8 “Cathode ray tubes”, any intact, broken, or processed glass tube  
9 used to provide the visual display in televisions, computer monitors  
10 and certain scientific instruments such as oscilloscopes.  
11 “Court”, any trial court department, appeals court and the  
12 supreme judicial court.  
13 “Construction and demolition”, asphalt pavement, brick, wood,  
14 metal and concrete from construction activities and demolition of  
15 buildings, roads and bridges and similar sources.  
16 “Glass Containers”, glass bottles and jars (soda-lime glass) but  
17 excluding light bulbs, Pyrex cookware, plate glass, drinking  
18 glasses, windows, windshields and ceramics.  
19 “Fluorescent lamp”, an electric lamp to which the manufacturer  
20 intentionally introduces mercury for the operation of the lamp,  
21 including , but not limited to fluorescent, compact fluorescent,  
22 black lights, high intensity discharge lamps, ultraviolet lamps and  
23 neon lamps.  
24 “Lead Batteries”, lead-acid batteries used in motor vehicles or  
25 stationary applications.  
26 “Metal Containers”, aluminum, steel or bi-metal beverage and  
27 food containers.  
28 “Recyclable paper”, all paper, corrugated cardboard, and paperboard  
29 products, except tissue paper, toweling, paper plates and  
30 cups, wax-coated corrugated cardboard, and other low-grade

31 paper products.  
32 “Single polymer plastics”, all narrow-neck plastic containers  
33 where the diameter of the mouth of the container is less than the  
34 diameter of the body of the container. This includes single polymer  
35 plastic containers labeled 1-6.  
36 “State Sustainability Program”, State Sustainability Program  
37 within executive office of environmental affairs.  
38 “Tires”, a continuous solid or pneumatic rubber covering intended  
39 for use on a motor vehicle.  
40 “White goods”, appliances employing electricity, oil, natural  
41 gas or liquefied petroleum gas to preserve or cook food; wash or  
42 dry clothing, cooking or kitchen utensils or related items; or to  
43 cool or to heat air or water, including, but not limited to, refrigerators,  
44 freezers, air conditioners, water coolers, dishwashers, clothes  
45 washers, clothes dryers, gas or electric ovens and ranges, and hot  
46 water heaters. White goods do not include microwave ovens.  
47 “Yard Waste”, deciduous and coniferous seasonal depositions,  
48 such as leaves, grass clippings, weeds, hedge clippings, garden  
49 materials, and brush 1 (one) inch or less in diameter (excluding  
50 diseased plants).  
51  
52 (b) By January 1, 2010, every agency and court, individually or  
53 in conjunction with other agencies or courts, and the General  
54 Court shall recycle the following materials: lead batteries, metal  
55 containers, glass containers, single polymer plastics, recyclable  
56 paper, yard waste, tires, white goods, fluorescent lamps, cathode  
57 ray tubes or the product that contains the cathode ray tube and  
58 construction and demolition material.  
59  
60 (c) The State Sustainability Program shall provide recycling  
61 guidance to establish and implement a waste generation and recyclable  
62 material generation reporting system for agencies, courts  
63 and the General Court. Agencies and courts with more than 50  
64 employees located in a state owned building and the General  
65 Court shall be required to submit said reports. In the event an  
66 agency or court is located in a facility where the waste management  
67 is handled by another agency or court, the agency or court  
68 responsible for waste management shall be responsible for submitting  
69 said reports Said reports shall, where feasible, include, but  
70 not be limited to the following:  
71  
72 (1) Tonnage of solid waste generated by the agency, court or  
73 General Court; and  
74 (2) Tonnage of waste recycled by agency, court or General  
75 Court; and  
76 (3) A breakdown of the tonnage of materials in subsection (b).  
77 Said reports shall be submitted to the State Sustainability Program  
78 at least annually.  
79 (d) Every lease agreement entered into by an agency or court after  
80 the effective date of this section shall contain a provision that  
81 requires recycling pursuant to the terms of this act, and, where feasible,  
82 requires the landlord to report on agency or court waste generation  
83 and recycling data pursuant to section (c) of this act.  
84 (e) The executive office of environmental affairs may promulgate  
85 rules and regulations regarding this act.  
86