

**HOUSE . . . . . No. 4375**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand 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 the following new  
3 section:—

4 Section 21. (a) As used in this section the following words shall have the following  
5 meanings:—

6 “Agency”, any state agency, state authority, state higher education facility or state office.

7 “Cathode ray tubes”, any intact, broken, or processed glass tube used to provide the  
8 visual display in televisions, computer monitors and certain scientific instruments such as  
9 oscilloscopes.

10 “Court”, any trial court department, appeals court and the supreme judicial court.

11 “Construction and demolition”, asphalt pavement, brick, wood, metal and concrete from  
12 construction activities and demolition of buildings, roads and bridges and similar sources.

13           “Glass Containers”, glass bottles and jars (soda-lime glass) but excluding light bulbs,  
14 Pyrex cookware, plate glass, drinking glasses, windows, windshields and ceramics.

15           “Fluorescent lamp”, an electric lamp to which the manufacturer intentionally introduces  
16 mercury for the operation of the lamp, including , but not limited to fluorescent, compact  
17 fluorescent, black lights, high intensity discharge lamps, ultraviolet lamps and neon lamps.

18           “Lead Batteries”, lead-acid batteries used in motor vehicles or stationary applications.

19           “Leading by Example”, the Leading by Example Program within the executive office of  
20 energy and environmental affairs.

21           “Metal Containers”, aluminum, steel or bi-metal beverage and food containers.

22           “Recyclable paper”, all paper, corrugated cardboard, and paperboard products, except  
23 tissue paper, toweling, paper plates and cups, wax-coated corrugated cardboard, and other low-  
24 grade paper products.

25           “Single polymer plastics”, all narrow-neck plastic containers where the diameter of the  
26 mouth of the container is less than the diameter of the body of the container. This includes single  
27 polymer plastic containers labeled 1-6.

28           “Tires”, a continuous solid or pneumatic rubber covering intended for use on a motor  
29 vehicle.

30           “White goods”, appliances employing electricity, oil, natural gas or liquefied petroleum  
31 gas to preserve or cook food; wash or dry clothing, cooking or kitchen utensils or related items;  
32 or to cool or to heat air or water, including, but not limited to, refrigerators, freezers, air

33 conditioners, water coolers, dishwashers, clothes washers, clothes dryers, gas or electric ovens  
34 and ranges, and hot water heaters. White goods do not include microwave ovens.

35 “Yard Waste”, deciduous and coniferous seasonal depositions, such as leaves, grass  
36 clippings, weeds, hedge clippings, garden materials, and brush 1 (one) inch or less in diameter  
37 (excluding diseased plants).

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39 (b) By January 1, 2011, every agency and court, individually or in conjunction with other  
40 agencies or courts, and the General Court shall recycle the following materials: lead batteries,  
41 metal containers, glass containers, single polymer plastics, recyclable paper, yard waste, tires,  
42 white goods, fluorescent lamps, cathode ray tubes or the product that contains the cathode ray  
43 tube and construction and demolition material.

44 (c) The Leading by Example Program shall establish a waste generation and recycling  
45 reporting system to be used by agencies, courts and the General Court. Agencies and courts with  
46 more than 50 employees located in a state owned building and the General Court shall be  
47 required to submit said reports. In the event an agency or court is located in a facility where the  
48 waste management is handled by another agency or court, the agency or court responsible for  
49 waste management shall be responsible for submitting said reports Said reports shall, where  
50 feasible, include, but not be limited to the following:

51 (1) Tonnage of solid waste generated by the agency, court or General Court; and

52 (2) Tonnage of waste recycled by agency, court or General Court; and

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

54 Said reports shall be submitted to the State Sustainability Program at least annually.

55 (d) Every lease agreement entered into by an agency or court after the effective date of  
56 this section shall contain a provision that requires recycling pursuant to the terms of this act, and,  
57 where feasible, requires the landlord to report on agency or court waste generation and recycling  
58 data pursuant to section (c) of this act.

59 (e) The executive office of energy and environmental affairs may promulgate rules and  
60 regulations regarding this act.