

HOUSE No. 4182

The Commonwealth of Massachusetts

PRESENTED BY:

Maria Duaine Robinson

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 adoption of the accompanying bill:

An Act relative to green building materials.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>2/16/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/26/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>2/26/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/19/2022</i>

HOUSE No. 4182

By Ms. Robinson of Framingham, a petition (accompanied by bill, House, No. 4182) of Maria Duaine Robinson and others relative to the maximum acceptable greenhouse gas emissions for eligible materials used in certain projects. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to green building materials.

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. The fourth paragraph of section 15 of chapter 7C of the General Laws, as
2 appearing in the 2018 Official Edition, is hereby amended by inserting after the first sentence the
3 following sentence:- The commissioner shall direct that applications to bid on or proposals for
4 the performance of the work of the project shall specify that the maximum acceptable
5 greenhouse gas emissions for any eligible material used in the project shall not exceed the
6 maximum acceptable greenhouse gas emissions established pursuant to section 73; provided, that
7 the commissioner may direct that an application to bid on or proposal for the performance of the
8 work of the project specify lower maximum acceptable greenhouse gas emissions for any
9 eligible material. For the purposes of this section the terms “eligible material” and “greenhouse
10 gas” shall have the same meaning as provided in section 73.

11 SECTION 2. Said section 15 of said chapter 7C, as so appearing, is hereby amended by
12 inserting after the fourth paragraph the following 2 paragraphs:-

13 In reviewing applications to bid on or proposals for the performance of the work on the
14 project, the director shall consider the bidder's job standards, including the bidder's method of
15 personnel procurement, employment of Massachusetts workers, workforce development and
16 long-term career opportunities of workers, the availability of training programs, including
17 apprenticeships approved by the United States Department of Labor, the benefits provided to
18 workers, including health care and defined benefit or contribution retirement benefits, and
19 whether the bidder pays industry-standard wages.

20 The director shall require any contractor awarded a contract pursuant to this section to
21 submit a current facility-specific environmental product declaration, type III, as defined by the
22 International Organization for Standardization standard 14025:2006, or similarly robust life
23 cycle assessment methods that have uniform standards in data collection consistent with the
24 International Organization for Standardization standard 14025:2006, industry acceptance and
25 integrity, for each eligible material proposed to be used in a building project, capital facility,
26 capital facility project or construction. A contractor that is awarded a contract pursuant to this
27 section shall not install any eligible material on a building project, capital facility, capital facility
28 project or construction until the contractor submits a facility-specific environmental product
29 declaration for that material.

30 SECTION 3. Section 72 of said chapter 7C, as so appearing, is hereby amended by
31 inserting after the word "environment", in line 9, the following words:- , including the
32 implementation and effectiveness of regulations promulgated pursuant to section 73.

33 SECTION 4. Said chapter 7C, as so appearing, is hereby amended by adding the
34 following section:-

35 Section 73. (a) As used in section 15 and this section, the following words shall, unless
36 the context clearly requires otherwise, have the following meanings:-

37 “Eligible materials”, carbon steel rebar, flat glass, mineral wood board insulation,
38 structural steel, concrete and cement.

39 “Greenhouse gas”, as defined in section 1 of chapter 21N.

40 (b) The commissioner shall promulgate regulations to establish maximum acceptable
41 greenhouse gas emissions for each category of eligible materials used in a building project,
42 capital facility, capital facility project or construction. The commissioner shall consult with the
43 department of environmental protection when determining the maximum acceptable greenhouse
44 gas emission for each category of eligible materials.

45 (c) The commissioner, in consultation with the department of environmental protection,
46 shall review regulations promulgated pursuant to subsection (b) every 4 years and may lower the
47 maximum acceptable greenhouse gas emissions for each category of eligible materials to reflect
48 improvements within the construction industry if the commissioner determines that the industry
49 average has changed. The commissioner shall not increase the maximum acceptable greenhouse
50 gas emissions.

51 (d) (i) No later than July 1, 2022, the commissioner shall submit a report to the clerks of
52 the house of representatives and the senate describing the method used to develop the maximum
53 acceptable greenhouse gas emissions for each category of eligible materials.

54 (ii) No later than 6 months after the commissioner has completed a review of the
55 regulations pursuant to subsection (c), the commissioner shall submit a report to the clerks of the

56 house of representatives and the senate describing the method used to review the maximum
57 acceptable greenhouse gas emissions for each category of eligible materials.

58 SECTION 5. This act shall take effect on January 1, 2022.