

**HOUSE . . . . . No. 4182****The Commonwealth of Massachusetts**

PRESENTED BY:

***Maria Duaiame 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 Duaiame 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>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>1/29/2022</i>

# HOUSE . . . . . No. 4182

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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.

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## The Commonwealth of Massachusetts

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

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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.