

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 775 Session of  
2005

INTRODUCED BY CORRIGAN, GEORGE, SOLOBAY, SHANER, BUNT, CURRY,  
JAMES, LEVDANSKY, TANGRETTI, WASHINGTON, CALTAGIRONE,  
GRUCELA, JOSEPHS, MUNDY, WALKO AND YOUNGBLOOD, MARCH 14, 2005

REFERRED TO COMMITTEE ON ENVIRONMENTAL RESOURCES AND ENERGY,  
MARCH 14, 2005

AN ACT

1 Amending the act of July 28, 1988 (P.L.556, No.101), entitled  
2 "An act providing for planning for the processing and  
3 disposal of municipal waste; requiring counties to submit  
4 plans for municipal waste management systems within their  
5 boundaries; authorizing grants to counties and municipalities  
6 for planning, resource recovery and recycling; imposing and  
7 collecting fees; establishing certain rights for host  
8 municipalities; requiring municipalities to implement  
9 recycling programs; requiring Commonwealth agencies to  
10 procure recycled materials; imposing duties; granting powers  
11 to counties and municipalities; authorizing the Environmental  
12 Quality Board to adopt regulations; authorizing the  
13 Department of Environmental Resources to implement this act;  
14 providing remedies; prescribing penalties; establishing a  
15 fund; and making repeals," providing for recycling of cathode  
16 ray tubes; and making editorial changes.

17 The General Assembly of the Commonwealth of Pennsylvania  
18 hereby enacts as follows:

19 Section 1. The title of the act of July 28, 1988 (P.L.556,  
20 No.101), known as the Municipal Waste Planning, Recycling and  
21 Waste Reduction Act, is amended to read:

22 AN ACT

23 Providing for planning for the processing and disposal of  
24 municipal waste; requiring counties to submit plans for

municipal waste management systems within their boundaries;  
authorizing grants to counties and municipalities for  
planning, resource recovery and recycling; imposing and  
collecting fees; establishing certain rights for host  
municipalities; requiring municipalities to implement  
recycling programs; requiring Commonwealth agencies to  
procure recycled materials; imposing duties; granting powers  
to counties and municipalities; authorizing the Environmental  
Quality Board to adopt regulations; authorizing the  
Department of Environmental [Resources] Protection to  
implement this act; providing remedies; prescribing  
penalties; establishing a fund; and making repeals.

Section 2. The definition of "department" in section 103 of  
the act is amended to read:

Section 103. Definitions.

The following words and phrases when used in this act shall  
have the meanings given to them in this section unless the  
context clearly indicates otherwise:

\* \* \*

"Department." The Department of Environmental [Resources]  
Protection of the Commonwealth and its authorized  
representatives.

\* \* \*

Section 3. The act is amended by adding a section to read:

Section 1510.1. Cathode ray tubes.

(a) Prohibition.--Except as set forth in subsection (b), a  
person may not discard a cathode ray tube.

(b) Exception.--

(1) A person may recycle a cathode ray tube in  
accordance with paragraph (2).

1       (2) A person selling or offering for sale cathode ray  
2       tubes shall do all of the following:

3           (i) Accept, at the point of transfer, in a quantity  
4           at least equal to the number purchased, used cathode ray  
5           tubes from customers in exchange for new cathode ray  
6           tubes purchased.

7           (ii) Post written notice which must be at least 8  
8           1/2 inches by 11 inches in size and contain the universal  
9           recycling symbol and the following language:

10           (A) "It is illegal to discard cathode ray  
11           tubes."

12           (B) "Recycle your used cathode ray tubes."

13           (C) "State law requires us to accept used  
14           cathode ray tubes for recycling, in exchange for new  
15           cathode ray tubes purchased."

16       (c) Department.--

17           (1) The department shall produce, print and distribute  
18           the notices required by subsection (b)(2)(ii) to all places  
19           where cathode ray tubes are offered for sale.

20           (2) The department may inspect a place governed by this  
21           section.

22           (3) Authorized employees of the department may issue  
23           warnings and citations to persons who fail to comply with the  
24           requirements of this section.

25       (d) Penalty.--A person who fails to post the required notice  
26       following warning under subsection (c)(3) shall pay an  
27       administrative penalty of \$25 per day. This subsection is  
28       subject to 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and  
29       procedure of Commonwealth agencies) and Ch. 7 Subch. A (relating  
30       to judicial review of Commonwealth agency action).

1     (e) Enforcement.--The department shall enforce this section.

2     Section 4. This act shall take effect in 60 days.