

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE

House Bill 596  
Ways and Means

(Delegate Kipke, *et al.*)

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County Boards of Education - Procurement of Green Product Cleaning Supplies

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This bill requires local boards of education to procure, to the extent practicable, green product cleaning supplies for use in schools. Green product cleaning supplies are defined as those that have positive environmental attributes, including: • biodegradability; • low toxicity; • low volatile organic compound content; • reduced packaging; and • low life cycle energy use. Local school systems must draft specifications that provide a clear and accurate description of the functional characteristics or nature of the cleaning products to be purchased. The bill applies only prospectively and does not affect cleaning supplies in inventory on the bill's effective date. It also does not affect any obligation or contract to purchase cleaning supplies that is in place on the bill's effective date.

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Fiscal Summary

**State Effect:** None. The bill applies only to local school systems.

**Local Effect:** Local school system expenditures could increase ranging from \$6,000 in the smallest systems and \$200,000 in the largest systems for green cleaning supplies. Actual costs could vary depending on the standards and criteria for green cleaning supplies adopted by each school system and on the length and terms of current contracts for cleaning supplies.

**Small Business Effect:** None.

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Analysis

**Current Law:** There are no restrictions on the purchase of cleaning supplies by local boards of education.

Current law prohibits a person from using, selling, manufacturing, or distributing for use or sale within the State any “cleaning agent” that contains more than 0.0% phosphorus by weight expressed as elemental phosphorus except for an amount not exceeding 0.5% phosphorus that is incidental to manufacturing. Detergents used in dishwashing machines, whether commercial or household, are currently exempt from the prohibition until January 1, 2010.

**Background:** There are currently two leading standard-setters and certifiers of “green” products. Green Seal, a Washington, DC-based nonprofit organization, establishes minimum standards for “environmentally responsible” products and certifies products that meet their standards. The Environmental Choice Program’s EcoLogo certification program, launched by the Canadian government in 1988 and administered by TerraChoice Environmental Marketing, offers a competing certification. Between them, Green Seal and EcoLogo have standards for bathroom cleaners, general purpose cleaners, carpet cleaners, glass cleaners, and floor strippers. Though they differ somewhat, their standards generally require that ingredients used in certified products be biodegradable and nontoxic to humans and that packaging be recyclable.

In the 1990s, Santa Monica, California became the first major city to adopt a policy of purchasing green cleaning supplies. Since then, San Francisco and Seattle have followed suit, as have Yellowstone and Grand Teton National Parks. According to Green Seal, New York, New Jersey, and Illinois have enacted legislation requiring or encouraging school systems to use green cleaning supplies.

**Local Expenditures:** Green Seal has not conducted nor is it familiar with any systematic studies of the cost differential between traditional cleaning supplies and Green Seal-certified products. Case studies obtained by Legislative Services regarding the experiences in Santa Monica and the two national parks that adopted green cleaning policies specifically state that they did not track or examine cost impacts.

In the absence of cost studies for green cleaning supplies, the best estimate available of the potential cost impact of purchasing green cleaning supplies comes from the Howard County Public Schools. In 2006, the Howard County school system solicited bids for Green Seal-certified cleaning products. Based on a rough analysis of the bids it received, it estimates that purchasing a year’s supply of certified products would increase its costs by about \$65,000 annually over what it pays for comparable products that are not certified. Howard County notes that not all types of cleaning supplies have Green Seal-certified equivalents, although the market is expanding to meet increased demand. Since 2006, Green Seal-certified graffiti scrubs and crème cleaners have reached the market.

Based on Howard County's experience, individual school systems could experience increased costs for cleaning supplies ranging from \$6,000 in the smallest school systems to almost \$200,000 annually in the largest, beginning in fiscal 2009. This is based on the fact that, during the 2006-2007 school year, Howard County had 72 schools to clean and maintain, compared with a low of 8 schools in Kent and Talbot counties to a high of 213 schools in Prince George's County. Actual costs could vary depending on the standards and criteria adopted by each county, as permitted by the bill, and on the length and terms of their current contracts for cleaning supplies.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Green Seal, Howard County, Maryland Department of the Environment, Maryland State Department of Education, U.S. Environmental Protection Agency, Baltimore City, Environmental Choice Program, Department of Legislative Services

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