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FISCAL AND POLICY NOTE
Revised

House Bill 1019
Ways and Means

(Delegate Murphy, *et al.*)

Education, Health, and Environmental Affairs

County Boards of Education - Green Product Cleaning Supplies - Written Policies

This bill modifies requirements related to procurement of green product cleaning supplies in local school systems. By July 1, 2013, each local board of education must adopt a written policy that contains specified elements for the procurement of green product cleaning supplies for use in its schools. The policy must also require the use of such supplies, to the extent practicable and economically feasible. By June 30 of each year, a local board of education that does not procure green product cleaning supplies for use in its schools because doing so is not practicable or economically feasible must provide written notice of this fact to the Maryland State Department of Education.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: Local school systems can adopt a written policy for the procurement of green product cleaning supplies with existing resources. Local school systems also have the option of providing annual written notice of why procuring green product cleaning supplies is not practicable or economically feasible.

Small Business Effect: Minimal.

Analysis

Bill Summary: In addition to requiring the use of green product cleaning supplies, the written policy must:

- by July 1, 2014, establish guidelines for purchasing green product cleaning supplies that meet the certification requirements of any established and nationally recognized independent third-party entity that certifies environmentally preferable products and adheres to consensus standards for lesser or reduced effects on human health and the environment when compared to competing products that serve the same purpose;
- establish green cleaning practices, including storage, application, frequency of use, and disposal of the supplies to ensure that the occupants of a school building do not suffer any adverse health effects as the result of these practices; and
- require staff training on implementing the policy.

The bill modifies the definition of “green product cleaning supplies” to be environmentally preferable cleaning and cleaning maintenance products and supplies intended for routine cleaning and cleaning maintenance that perform well and that have specified positive health and environmental attributes, including lesser or reduced effects on human health and the environment when compared to competing products that serve the same purpose. (Under current law, the definition included cleaning and sanitizing supplies that perform well and that have specified positive environmental attributes.) The bill specifies that “green product cleaning supplies” includes general purpose cleaners; bathroom cleaners; carpet cleaners; glass cleaners; floor cleaners, floor finishes, and floor strippers; wall cleaners; desk cleaners; surface cleaners; window cleaners; whiteboard cleaners; and soap. The bill specifies that “green product cleaning supplies” do not include: room deodorizers, air fresheners, toilet deodorizers, or hand cleaners.

In addition, TerraChoice and EcoLogo are added as examples of avenues to obtain green product cleaning supply certification, while the U.S. Environmental Protection Agency’s Design for the Environment Program and the U.S. Green Building Council are removed. The bill also clarifies that any other nationally recognized independent third-party entity that certifies environmental preferable produces may be used.

Current Law: As required by Chapter 454 of 2009, local boards of education must procure, to the extent practicable and economically feasible, green product cleaning supplies for use in schools. Green product cleaning supplies are defined as cleaning and sanitizing supplies that perform well and 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 specifications drafted by a local board of education must allow disinfectants, disinfecting cleaners, sanitizers, or other antimicrobial products regulated by the Federal Insecticide, Fungicide,

and Rodenticide Act to be used when necessary. Multiple avenues of green product cleaning supplies certification must be permitted.

Background: There are currently two leading standard-setters and certifiers of “green” products. Green Seal, a nonprofit organization based in the District of Columbia, establishes minimum standards for “environmentally responsible” products and certifies products that meet its 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.

Additional Information

Prior Introductions: HB 650 of 2011 received a hearing in the House Ways and Means Committee, but no further action was taken.

Cross File: SB 708 (Senator Montgomery) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland State Department of Education, Department of General Services, Maryland Department of Transportation, Green Seal, TerraChoice, EcoLogo, Department of Legislative Services

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