

HB0942/226281/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 942
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Morhaim” and substitute “Morhaim, Beitzel, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Kach, Kipke, Kullen, Mizeur, Montgomery, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Riley, Tarrant, V. Turner, and Weldon”; strike line 2 in its entirety and substitute “Maryland Green Building Council”; strike beginning with “requiring” in line 3 down through “buildings” in line 7 and substitute “establishing the Maryland Green Building Council in the Department of General Services; providing for the membership and terms of the Council; prohibiting certain members of the Council from receiving compensation for serving on the Council; authorizing certain members of the Council to receive reimbursement for certain expenses; requiring the Governor to appoint the chair; providing that the Council may act with an affirmative vote of a certain number of members; requiring the Department of General Services to provide certain staff support to the Council; requiring certain other agencies and units of State government to furnish assistance to the Council under certain circumstances; providing for duties of the Council to be accomplished on or before a certain date; requiring a certain report by the Council; and generally relating to the Maryland Green Building Council”; strike in their entirety lines 8 through 12, inclusive; and in line 15, strike “3-602.1” and substitute “4-809”.

AMENDMENT NO. 2

On pages 1 through 4, strike in their entirety the lines beginning with line 21 on page 1 through line 5 on page 4, inclusive, and substitute:

“4-809.

(A) THERE IS A MARYLAND GREEN BUILDING COUNCIL.

(Over)

(B) THE COUNCIL SHALL INCLUDE:

(1) THE SECRETARY OF GENERAL SERVICES, OR THE SECRETARY'S DESIGNEE;

(2) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE SECRETARY'S DESIGNEE;

(3) THE SECRETARY OF THE ENVIRONMENT, OR THE SECRETARY'S DESIGNEE;

(4) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;

(5) THE SECRETARY OF NATURAL RESOURCES, OR THE SECRETARY'S DESIGNEE;

(6) THE SECRETARY OF PLANNING, OR THE SECRETARY'S DESIGNEE;

(7) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY'S DESIGNEE;

(8) THE DIRECTOR OF THE MARYLAND ENERGY ADMINISTRATION, OR THE DIRECTOR'S DESIGNEE;

(9) THE DIRECTOR OF THE INTERAGENCY COMMITTEE ON PUBLIC SCHOOL CONSTRUCTION, OR THE DIRECTOR'S DESIGNEE;

(10) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND, OR THE CHANCELLOR'S DESIGNEE; AND

(11) SIX MEMBERS APPOINTED BY THE GOVERNOR TO REPRESENT ENVIRONMENTAL, BUSINESS, AND CITIZEN INTERESTS, ONE OF WHOM HAS EXPERTISE IN ENERGY CONSERVATION OR GREEN BUILDING DESIGN STANDARDS.

(C) (1) THE TERM OF A MEMBER APPOINTED BY THE GOVERNOR IS 2 YEARS.

(2) THE TERMS OF APPOINTED MEMBERS ARE STAGGERED.

(3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(5) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.

(6) A MEMBER APPOINTED BY THE GOVERNOR MAY NOT RECEIVE COMPENSATION, BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

(D) (1) THE GOVERNOR SHALL APPOINT A CHAIR FROM AMONG THE COUNCIL MEMBERS.

(2) THE COUNCIL MAY ACT WITH AN AFFIRMATIVE VOTE OF NINE MEMBERS.

(E) STAFF SUPPORT TO THE COUNCIL SHALL BE PROVIDED BY THE DEPARTMENT OF GENERAL SERVICES, WITH ASSISTANCE AS NECESSARY TO BE FURNISHED BY OTHER INVOLVED AGENCIES AND UNITS OF STATE GOVERNMENT.

(F) ON OR BEFORE SEPTEMBER 30, 2007, THE MARYLAND GREEN BUILDING COUNCIL SHALL:

(1) EVALUATE CURRENT HIGH PERFORMANCE BUILDING TECHNOLOGIES;

(2) PROVIDE RECOMMENDATIONS CONCERNING THE MOST COST-EFFECTIVE GREEN BUILDING TECHNOLOGIES THAT THE STATE MIGHT CONSIDER REQUIRING IN THE CONSTRUCTION OF STATE FACILITIES, INCLUDING CONSIDERATION OF THE ADDITIONAL COST ASSOCIATED WITH THE VARIOUS TECHNOLOGIES; AND

(3) DEVELOP A LIST OF BUILDING TYPES FOR WHICH GREEN BUILDING TECHNOLOGIES SHOULD NOT BE APPLIED, TAKING INTO CONSIDERATION THE OPERATIONAL ASPECTS OF FACILITIES EVALUATED, AND THE UTILITY OF A WAIVER PROCESS WHERE APPROPRIATE; AND

(G) ON OR BEFORE NOVEMBER 1, 2007, AND EVERY YEAR THEREAFTER, THE COUNCIL SHALL REPORT TO THE GOVERNOR AND THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AS TO RECOMMENDATIONS FOR THE IMPLEMENTATION PLAN FOR A

**STATE HIGHER PERFORMANCE BUILDING PROGRAM AND ANY PROGRESS THAT
HAS BEEN MADE DURING THE PRECEDING YEAR.**

AMENDMENT NO. 3

On page 4, strike in their entirety lines 6 through 9, inclusive; and in line 11, strike “October” and substitute “June”.