
By: **Delegates Morhaim, Bobo, McIntosh, and Montgomery**

Introduced and read first time: February 4, 2005

Assigned to: Environmental Matters and Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Certification and Procurement - Environmentally Compliant**
 3 **Manufacturers of Computers**

4 FOR the purpose of establishing a certification process for certain manufacturers of
 5 certain computers; authorizing certain manufacturers of certain computers to
 6 submit an environmental compliance plan to the Department of the
 7 Environment; allowing the Department of the Environment to certify certain
 8 manufacturers who submit an environmental compliance plan; establishing a
 9 certain procurement preference for certain manufacturers; requiring the Board
 10 of Public Works to adopt certain regulations by a certain date; requiring certain
 11 units to review certain procurement specifications and make certain changes to
 12 certain specifications; requiring the Department of the Environment to
 13 establish a certain list; defining certain terms; and generally relating to the
 14 certification and procurement of environmentally compliant manufacturers of
 15 computers.

16 BY adding to

17 Article - Environment

18 Section 9-281 and 9-282 to be under the new part "Part VII. Certification of
 19 Environmentally Compliant Manufacturers of Computers"

20 Annotated Code of Maryland

21 (1996 Replacement Volume and 2004 Supplement)

22 BY adding to

23 Article - State Finance and Procurement

24 Section 14-601 and 14-602 to be under the new subtitle "Subtitle 6. Certified
 25 Manufacturers of Computers"

26 Annotated Code of Maryland

27 (2001 Replacement Volume and 2004 Supplement)

28 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

29 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Environment**

2 9-279. RESERVED.

3 9-280. RESERVED.

4 **PART VII. CERTIFICATION OF ENVIRONMENTALLY COMPLIANT MANUFACTURERS**
5 **OF COMPUTERS.**

6 9-281.

7 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

8 (B) (1) "COMPUTER" MEANS A DESKTOP COMPUTER, PERSONAL COMPUTER,
9 OR LAPTOP COMPUTER.

10 (2) "COMPUTER" DOES NOT INCLUDE:

11 (I) A PERSONAL DIGITAL ASSISTANT DEVICE; OR

12 (II) A COMPUTER PERIPHERAL DEVICE, INCLUDING:

13 1. A MOUSE OR OTHER SIMILAR POINTING DEVICE;

14 2. A PRINTER; OR

15 3. A DETACHABLE KEYBOARD.

16 (C) "MANUFACTURER" MEANS THE CORPORATION OR OTHER LEGAL ENTITY
17 THAT IS THE BRAND OWNER OR IMPORTER OF A COMPUTER SOLD IN THE STATE.

18 9-282.

19 (A) A MANUFACTURER MAY SUBMIT AN ENVIRONMENTAL COMPLIANCE PLAN
20 TO THE DEPARTMENT.

21 (B) THE ENVIRONMENTAL COMPLIANCE PLAN SHALL INCLUDE:

22 (1) A DESCRIPTION OF THE ACTIONS TAKEN AND PLANNED BY THE
23 MANUFACTURER TO DESIGN A COMPUTERS SO THAT THE COMPUTER IS:

24 (I) EASIER TO RECYCLE; AND

25 (II) CONTAINS LESS HAZARDOUS MATERIALS;

26 (2) A DESCRIPTION OF ANY RECYCLING EFFORT CONDUCTED OR
27 SUPPORTED BY THE MANUFACTURER, INCLUDING RECYCLING CONTRACTS WITH
28 BUSINESSES LOCATED IN THE STATE; AND29 (3) ANY INFORMATION REQUIRED BY THE DEPARTMENT IN
30 REGULATION.

1 (C) AFTER REVIEW OF A MANUFACTURER'S ENVIRONMENTAL COMPLIANCE
2 PLAN, IF THE DEPARTMENT DETERMINES THAT THE MANUFACTURER HAS
3 DEMONSTRATED THAT IT HAS A COMPREHENSIVE AND SUFFICIENT
4 ENVIRONMENTAL COMPLIANCE PLAN, THE DEPARTMENT SHALL CERTIFY THE
5 MANUFACTURER AS ENVIRONMENTALLY COMPLIANT.

6 **Article - State Finance and Procurement**

7 SUBTITLE 6. CERTIFIED MANUFACTURERS OF COMPUTERS.

8 14-601.

9 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
10 INDICATED.

11 (B) "CERTIFIED MANUFACTURER" MEANS A MANUFACTURER CERTIFIED
12 UNDER § 9-282 OF THE ENVIRONMENT ARTICLE.

13 (C) (1) "COMPUTER" MEANS A DESKTOP COMPUTER, PERSONAL COMPUTER,
14 OR LAPTOP COMPUTER.

15 (2) "COMPUTER" DOES NOT INCLUDE:

16 (I) A PERSONAL DIGITAL ASSISTANT DEVICE; OR

17 (II) A COMPUTER PERIPHERAL DEVICE, INCLUDING:

18 1. A MOUSE OR OTHER SIMILAR POINTING DEVICE;

19 2. A PRINTER; OR

20 3. A DETACHABLE KEYBOARD.

21 (D) "MANUFACTURER" MEANS THE CORPORATION OR OTHER LEGAL ENTITY
22 THAT IS THE BRAND OWNER OR IMPORTER OF A COMPUTER SOLD IN THE STATE.

23 (E) "PERCENTAGE PRICE PREFERENCE" MEANS THE PERCENT BY WHICH A
24 RESPONSIVE BID FROM A RESPONSIBLE BIDDER WHO IS A CERTIFIED
25 MANUFACTURER MAY EXCEED THE LOWEST RESPONSIVE BID SUBMITTED BY A
26 RESPONSIBLE BIDDER WHO IS NOT A CERTIFIED MANUFACTURER.

27 14-602.

28 (A) NO LATER THAN JANUARY 1, 2006, THE BOARD SHALL ADOPT
29 REGULATIONS THAT REQUIRE EACH STATE UNIT TO ESTABLISH A PERCENTAGE
30 PRICE PREFERENCE, NOT TO EXCEED 5%, FOR THE PURCHASE OF COMPUTERS FROM
31 A CERTIFIED MANUFACTURER.

32 (B) ON OR BEFORE JANUARY 1, 2006, EACH STATE UNIT SHALL REVIEW THE
33 PROCUREMENT SPECIFICATIONS FOR COMPUTERS CURRENTLY USED BY THE UNIT

1 AND, TO THE EXTENT PRACTICABLE, REQUIRE THE USE OF A PERCENTAGE PRICE
2 PREFERENCE FOR THE PURCHASE OF COMPUTERS FROM A CERTIFIED
3 MANUFACTURER.

4 (C) TO ENCOURAGE THE MAXIMUM PURCHASE OF COMPUTERS FROM A
5 CERTIFIED MANUFACTURER, THE DEPARTMENT OF THE ENVIRONMENT SHALL
6 ESTABLISH A LIST OF CERTIFIED MANUFACTURERS.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2005.