
By: **Senators Brochin, Britt, Conway, Currie, Dyson, Forehand, Frosh,
Garagiola, Giannetti, Green, Grosfeld, Hollinger, and Pinsky**

Introduced and read first time: January 19, 2005

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Proposed Capital Projects - Planning - High Performance Buildings**

3 FOR the purpose of requiring a unit of State government requesting an appropriation
4 for the preliminary planning of a proposed capital project to include in its
5 program submission to the Department of Budget and Management a
6 justification for proposing that the building is not appropriate for design as a
7 high performance building; defining a certain term; and generally relating to the
8 planning and design of high performance buildings in proposed capital projects.

9 BY repealing and reenacting, with amendments,
10 Article - State Finance and Procurement
11 Section 3-602(d)
12 Annotated Code of Maryland
13 (2001 Replacement Volume and 2004 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - State Finance and Procurement**

17 3-602.

18 (d) (1) IN THIS SUBSECTION, "HIGH PERFORMANCE BUILDING" MEANS A
19 BUILDING THAT ACHIEVES AT LEAST:

20 (I) A SILVER RATING ACCORDING TO THE U.S. GREEN BUILDING
21 COUNCIL'S LEED (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN) GREEN
22 BUILDING RATING SYSTEM AS ADOPTED IN 2001 BY THE MARYLAND GREEN
23 BUILDING COUNCIL; OR

24 (II) A COMPARABLE NUMERIC RATING ACCORDING TO A
25 NATIONALLY RECOGNIZED, ACCEPTED, AND APPROPRIATE NUMERIC SUSTAINABLE
26 DEVELOPMENT RATING SYSTEM, GUIDELINE, OR STANDARD.

1 [(1)] (2) Before an appropriation may be authorized for preliminary
2 planning of a proposed capital project:

3 (i) the unit of the State government requesting the appropriation
4 shall submit to the Department a program describing, in detail[,]:

5 1. the scope and purpose of the project; and

6 2. THE JUSTIFICATION FOR PROPOSING THAT A BUILDING
7 IN THE PROJECT IS NOT APPROPRIATE FOR DESIGN AS A HIGH PERFORMANCE
8 BUILDING; AND

9 (ii) the Secretary of Budget and Management must approve the
10 program.

11 [(2)] (3) Before an appropriation may be authorized for construction of a
12 proposed capital project:

13 (i) the unit of State government requesting the appropriation shall
14 submit to the Departments of Budget and Management and General Services a
15 detailed design program, which shall include all information required by the
16 Departments; and

17 (ii) both the Secretary of Budget and Management and the
18 Secretary of General Services must approve the detailed design program.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2005.