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

Introduced and read first time: January 19, 2005
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted with floor amendments
Read second time: February 17, 2005

CHAPTER _____

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:~~

1 (I) ACHIEVES AT LEAST A SILVER RATING ACCORDING TO THE U.S.
 2 GREEN BUILDING COUNCIL'S LEED (LEADERSHIP IN ENERGY AND ENVIRONMENTAL
 3 DESIGN) GREEN BUILDING RATING SYSTEM AS ADOPTED IN 2001 OR SUBSEQUENTLY
 4 BY THE MARYLAND GREEN BUILDING COUNCIL; ~~OR~~

5 (II) ACHIEVES AT LEAST A TWO GLOBE RATING ACCORDING TO THE
 6 GREEN GLOBES PROGRAM AS ADOPTED BY THE GREEN BUILDING INITIATIVE; ~~OR~~

7 ~~(H)~~ (III) ACHIEVES AT LEAST A COMPARABLE NUMERIC RATING
 8 ACCORDING TO A NATIONALLY RECOGNIZED, ACCEPTED, AND APPROPRIATE
 9 NUMERIC SUSTAINABLE DEVELOPMENT RATING SYSTEM, GUIDELINE, OR
 10 STANDARD; OR

11 (IV) MEETS NATIONALLY RECOGNIZED, CONSENSUS-BASED, AND
 12 ACCEPTED GREEN BUILDING GUIDELINES, STANDARDS, OR SYSTEMS APPROVED BY
 13 THE STATE.

14 [(1)] (2) Before an appropriation may be authorized for preliminary
 15 planning of a proposed capital project:

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

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

19 2. THE JUSTIFICATION FOR PROPOSING THAT A BUILDING
 20 IN THE PROJECT IS NOT APPROPRIATE FOR DESIGN AS A HIGH PERFORMANCE
 21 BUILDING; AND

22 (ii) the Secretary of Budget and Management must approve the
 23 program.

24 [(2)] (3) Before an appropriation may be authorized for construction of a
 25 proposed capital project:

26 (i) the unit of State government requesting the appropriation shall
 27 submit to the Departments of Budget and Management and General Services a
 28 detailed design program, which shall include all information required by the
 29 Departments; and

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

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

