

Department of Legislative Services  
Maryland General Assembly  
2010 Session

FISCAL AND POLICY NOTE

House Bill 1380  
Ways and Means

(Delegate Murphy, *et al.*)

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

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This bill requires each local board of education to establish a written policy for the procurement of green product cleaning supplies for use in its schools. A local board that does not procure green product cleaning supplies for use in public schools because it is not practicable or economically feasible must provide annual written notice of this fact to the Maryland State Department of Education (MSDE).

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**Fiscal Summary**

**State Effect:** MSDE can collect any written notices from local school systems explaining why they do not use green product cleaning supplies using existing resources.

**Local Effect:** Local school system expenditures may increase minimally to create a written policy for the procurement of green product cleaning supplies and to train staff on the implementation of the policy. If a local school system does not procure green product cleaning supplies for use in public schools because it is not practicable or economically feasible, the system can produce a written notice annually stating that fact using existing resources. Revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The policy must require the use of green product cleaning supplies; establish guidelines for purchasing green product cleaning supplies that meet third-party accreditation standards; and establish green cleaning practices, including storage,

application, frequency of use, and disposal of supplies. The policy must also require staff training on implementing the policy.

**Current Law:** Chapter 454 of 2009 requires local boards of education to procure, to the extent practicable and economically feasible, green product cleaning supplies for use in schools. Green product cleaning supplies are defined as those that 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 (FIFRA) to be used when necessary. Multiple avenues of green product cleaning supplies certification must be permitted.

Current law prohibits a person from using, selling, manufacturing, or distributing for use or sale within the State any “cleaning agent” that contains more than 0.0% phosphorus by weight expressed as elemental phosphorus except for an amount not exceeding 0.5% phosphorus that is incidental to manufacturing.

FIFRA authorizes the U.S. Environmental Protection Agency (EPA) to review and license pesticides for specified uses. Pesticide products must be licensed by EPA before they can be manufactured, transported, or sold. If subsequent information shows a pesticide poses an unreasonable risk, EPA has the authority to revoke its license.

**Background:** The third-party standard-setters and certifiers of “green” products include the U.S. Environmental Protection Agency’s Design for the Environment Program, Green Seal, Green Label, Environmental Choice, and the U.S. Green Building Council. Though they differ somewhat, their standards generally require that ingredients used in certified products be biodegradable and nontoxic to humans.

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. In recent years, several states including Illinois, New York, Missouri, and Maine – have enacted legislation requiring or encouraging school systems to use green cleaning supplies.

Frederick County reports that Frederick County Public Schools has purchased green products for several years, and for the past two years it has required in its procurement bid for custodial supplies that all cleaning supplies used in schools be green.

**Local Expenditures:** Local school system expenditures may increase minimally to create a written policy for the procurement of green product cleaning supplies and to train staff on the implementation of the policy. If a local school system does not procure green product cleaning supplies for use in public schools because it is not practicable or economically feasible, the system can produce a written notice annually stating that fact using existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Charles, Frederick, Montgomery, and Somerset counties; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - March 18, 2010  
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