

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 782

(Senator Hester)

Budget and Taxation

Health and Government Operations

**State Procurement - Purchasing - Compost, Mulch, and Soil Amendments and
Aggregate**

This bill requires the Maryland Green Purchasing Committee (MGPC) to establish specifications for purchasing compost, mulch, or other soil amendments or aggregate produced from municipal solid waste, food waste, dredged material, construction waste, yard waste, clean wood waste, or other recycled or organic materials. MGPC must publish and maintain the specifications online for use by State agencies. State agencies that purchase compost, mulch, or other soil amendments or aggregate must include the specifications in their solicitations if the products are readily available and competitively priced, and if the quality is satisfactory for the intended purposes.

Fiscal Summary

State Effect: MGPC can develop the required specifications with existing resources. Any fiscal effect stemming from the use of the specifications in procurement solicitations depends on the wording of the specifications and the availability and pricing of recycled and organic material relative to inorganic materials and, therefore, cannot be reliably estimated. No effect on revenues.

Local Effect: Potential minimal increase in local revenues to the extent that the State purchases more municipal solid waste. No effect on expenditures.

Small Business Effect: Minimal.

Analysis

Current Law: A State or local agency responsible for the maintenance of public lands must, to the maximum extent practicable, give consideration and preference to the use of compost in any land maintenance activity paid for with public funds. It is the goal of the

Department of General Services (DGS) to (1) compost all landscape waste on State property that is under its operation, to the extent practicable, for use as fertilizer and (2) increase the percentage of landscaped area fertilized by compost each year.

MGPC is established in statute with membership consisting of the Treasurer and the heads of many Executive Branch agencies, or their designees. The Secretary of General Services, or designee, chairs the committee, and DGS provides staff support. The committee provides the State with information and assistance regarding environmentally preferable purchasing, including the publication of environmentally preferable specifications to be adopted by State agencies.

Additional Comments: The Department of Natural Resources and DGS both advise that there are risks associated with contaminants, heavy metals, and toxic substances in solid waste and food waste. Due to these risks, they further advise that products derived from these substances cannot or should not be used in many parks and on other State lands.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 586 (Delegate Stein, *et al.*) - Health and Government Operations.

Information Source(s): Maryland Environmental Service; Maryland-National Capital Park and Planning Commission; North East Maryland Waste Disposal Authority; Maryland Municipal League; Maryland School for the Deaf; University System of Maryland; Morgan State University; Maryland Department of Agriculture; Maryland Department of the Environment; Department of General Services; Department of Juvenile Services; Department of Natural Resources; Maryland Department of Planning; Department of Public Safety and Correctional Services; Department of Housing and Community Development; Maryland Department of Transportation; Department of Veterans Affairs; Department of Legislative Services

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