

(d) (1) To encourage the maximum purchase of ENVIRONMENTALLY PREFERABLE PRODUCTS OR EQUIPMENT AND commodities utilizing recycled materials, the Department of General Services, in consultation with the Department of the Environment, the University of Maryland, the Maryland Environmental Service, the Department of Transportation, the Department of Natural Resources, the Department of Health and Mental Hygiene, and as necessary with representatives of the recycling industry and environmental organizations, shall establish a list of acceptable ENVIRONMENTALLY PREFERABLE PRODUCTS OR EQUIPMENT AND products which contain recycled materials.

(2) The list shall be published for use by State agencies at least twice each year.

(e) [By January 1, 1991, each] EACH State unit shall review the procurement specifications currently used by the unit and, to the extent practicable, require the use of a percentage price preference in their purchase of ENVIRONMENTALLY PREFERABLE PRODUCTS OR EQUIPMENT AND supplies and commodities containing recycled materials.

(f) (1) Except as provided in paragraph (2) of this subsection, this section is broadly applicable to all procurements by the State if the quality of the product is consistent with the requirements of the bid specifications.

(2) Only to the extent necessary to prevent the denial of federal moneys or eliminate the inconsistency with federal law, this section does not apply to a procurement by the State if the procurement officer determines that compliance with this section would:

- (i) cause denial of federal moneys; or
- (ii) be inconsistent with the requirements of federal law.

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

May 20, 2005

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 361 – *Advisory Committee on the Management and Protection of the State's Water Resources*.

House Bill 361 would establish a 21 member Advisory Committee on the Management and Protection of the State's Water Resources that must issue a final report by December 31, 2006.