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By: **Senator Currie**  
Introduced and read first time: February 16, 2001  
Assigned to: Rules  
Re-referred to: Economic and Environmental Affairs, February 22, 2001

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 30, 2001

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CHAPTER 431

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Local Small Business**  
3 **Enterprise Program**

4 FOR the purpose of authorizing the Washington Suburban Sanitary Commission to  
5 adopt a local small business enterprise program for certain purposes;  
6 establishing certain eligibility criteria for the program; requiring the  
7 Commission to adopt certain criteria and procedures for the program; requiring  
8 the Commission to review certain criteria and procedures each year; and  
9 generally relating to the Washington Suburban Sanitary Commission and the  
10 local small business enterprise program.

11 BY adding to  
12 Article 29 - Washington Suburban Sanitary District  
13 Section 3-110  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 2000 Supplement)

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

18 **Article 29 - Washington Suburban Sanitary District**

19 3-110.

20 (A) BY RESOLUTION OR REGULATION, THE WSSC MAY IMPLEMENT A LOCAL  
21 SMALL BUSINESS ENTERPRISE PROGRAM.

1 (B) THE PURPOSE OF THE PROGRAM IS TO ASSIST SMALL BUSINESSES THAT  
2 ARE LOCATED IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY THROUGH  
3 THE ESTABLISHMENT OF A SHELTERED MARKET OR OTHER APPROPRIATE  
4 PREFERENCE OR ASSISTANCE INVOLVING THE AWARD OF CONSTRUCTION  
5 CONTRACTS OR THE PROCUREMENT OF GOODS AND SERVICES BY THE WSSC.

6 (C) THE WSSC SHALL ADOPT:

7 (1) ELIGIBILITY CRITERIA FOR BUSINESSES TO QUALIFY FOR THE  
8 LOCAL SMALL BUSINESS ENTERPRISE PROGRAM, INCLUDING:

9 (I) A NET WORTH NOT EXCEEDING \$250,000 UNDER WSSC  
10 GUIDELINES;

11 (II) AN AVERAGE NET INCOME AFTER FEDERAL INCOME TAXES  
12 FOR THE PRECEDING 2 YEARS, EXCLUDING ANY CARRYOVER LOSSES, NOT  
13 EXCEEDING \$100,000;

14 (III) A PRINCIPAL PLACE OF BUSINESS OR SIGNIFICANT  
15 EMPLOYMENT PRESENCE IN MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY;  
16 AND

17 (IV) ANY OTHER ELIGIBILITY CRITERIA THAT THE WSSC  
18 DETERMINES TO BE NECESSARY OR OTHERWISE APPROPRIATE FOR THE PROMOTION  
19 OF LOCAL SMALL BUSINESSES IN ITS SERVICE AREA; AND

20 (2) ADMINISTRATIVE PROCEDURES FOR CONDUCTING THE PROGRAM.

21 (D) A BUSINESS ENTERPRISE MAY QUALIFY AS A LOCAL SMALL BUSINESS FOR  
22 PURPOSES OF THE PROGRAM WITHOUT REGARD TO THE RACE, ETHNICITY, OR  
23 GENDER OF THE PARTICIPANTS IN THE BUSINESS ENTERPRISE.

24 (E) THE WSSC SHALL ESTABLISH GRADUATION CRITERIA FROM THE  
25 PROGRAM FOR LOCAL SMALL BUSINESSES THAT THE WSSC DETERMINES NO  
26 LONGER REQUIRE THE ASSISTANCE OR BENEFITS OFFERED BY THE PROGRAM.

27 (F) THE WSSC SHALL REVIEW THE ELIGIBILITY CRITERIA AND  
28 ADMINISTRATIVE PROCEDURES OF THE PROGRAM EACH YEAR TO ASSESS THEIR  
29 EFFECTIVENESS IN FURTHERING THE PURPOSES OF THE PROGRAM.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 July 1, 2001.

