

SENATE BILL 492

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P2

2003 Regular Session
(3r1836)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Health and Government Operations --

Introduced by **Senator Pipkin**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 386

1 AN ACT concerning

2 **Task Force to Study Efficiency in Procurement**

3 FOR the purpose of establishing a Task Force to Study Efficiency in Procurement;
4 providing for the membership, purposes, and staffing of the Task Force;
5 requiring the Task Force to report to certain persons by a certain date; providing
6 for the effective date and termination of this Act; and generally relating to the
7 Task Force to Study Efficiency in Procurement.

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
9 MARYLAND, That:

10 (a) There is a Task Force to Study Efficiency in Procurement.

11 (b) The Task Force consists of the following voting members:

12 (1) two members of the House of Delegates, appointed by the Speaker of
13 the House;

- 1 (2) two members of the State Senate, appointed by the President of the
2 Senate;
- 3 (3) one member who has expertise in Maryland procurement law,
4 appointed by the Governor, who shall be the chairman of the Task Force;
- 5 (4) one member from the information technology industry, appointed by
6 the Governor;
- 7 (5) one member from the construction industry, appointed by the
8 Governor;
- 9 (6) one member from the commodities industry, appointed by the
10 Governor;
- 11 (7) one member from the human services industry or health care
12 industry, appointed by the Governor;
- 13 (8) one member from the correctional services industry, appointed by the
14 Governor;
- 15 (9) one member from the professional services industry, such as
16 engineering or architectural services, appointed by the Governor;
- 17 (10) *one member from the minority business enterprise community,*
18 *appointed by the Governor;*
- 19 ~~(10)~~ (11) the Secretary of General Services, or a designee, as an ex officio
20 member;
- 21 ~~(11)~~ (12) the Secretary of Transportation, or a designee, as an ex officio
22 member;
- 23 ~~(12)~~ (13) the Secretary of Budget and Management, or a designee, as an
24 ex officio member;
- 25 ~~(13)~~ (14) the Chancellor of the University System of Maryland, or a
26 designee, as an ex officio member;
- 27 ~~(14)~~ (15) the Secretary of Human Resources, or a designee, as an ex
28 officio member; ~~and~~
- 29 ~~(15)~~ (16) the Secretary of Health and Mental Hygiene, or a designee, as
30 an ex officio member; ~~and~~
- 31 (17) *the Executive Director of the Governor's Office of Minority Affairs, or a*
32 *designee, as an ex officio member;*
- 33 ~~(16)~~ (18) the Procurement Advisor appointed under § 12-102 of the State
34 Finance and Procurement Article, or a designee, as an ex officio member; *and*

1 (19) the Maryland State Treasurer, or a designee, as an ex officio member.

2 (c) Each member of the Task Force shall be appointed on or before July 1,
3 2003.

4 (d) The Department of Legislative Services and the Office of the Attorney
5 General shall provide staff support to the Task Force.

6 (e) A member of the Task Force may not receive compensation for serving on
7 the Task Force, but is entitled to reimbursement for expenses under the Standard
8 State Travel Regulations, as provided in the State budget.

9 (f) The Task Force shall study:

10 (1) methods of increasing efficiency in procurement processes, including:

11 ~~(1)~~ ~~(I)~~ (i) the use of market-based procurement practice;

12 ~~(2)~~ ~~(II)~~ (ii) outsourcing and privatization;

13 ~~(3)~~ ~~(III)~~ (iii) the use of contracts where compensation is based on
14 successful performance;

15 ~~(4)~~ ~~(IV)~~ (iv) the accountability of State officials who violate
16 procurement law;

17 ~~(5)~~ ~~(V)~~ (v) rewards and incentives to State officials in order to
18 encourage better procurement results; ~~and, including the procurement of~~
19 environmentally preferable products;

20 ~~(6)~~ ~~(VI)~~ (vi) greater centralization of the procurement system; ~~and~~

21 (vii) the feasibility of the uniform application of the procurement law
22 to all State government units, except public institutions of higher education;

23 (2) the effectiveness of the dispute resolution process; and

24 (3) except for public institutions of higher education, the State's current
25 policy and practices concerning the procurement of information management systems
26 and other technology and technology-related services including:

27 (i) the technology procurement process;

28 (ii) technology procurement administration; and

29 (iii) the development of the technology industry in the State.

30 (g) On or before ~~May 31, 2004~~ December 31, 2003, the Task Force shall submit
31 a report of its findings and recommendations to the Governor and, subject to § 2-1246
32 of the State Government Article, to the General Assembly.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 June 1, 2003. It shall remain effective for a period of ~~1 year~~ 7 months and, at the end
3 of ~~May 31, 2004~~ December 31, 2003, with no further action required by the General
4 Assembly, this Act shall be abrogated and of no further force and effect.