

SENATE BILL 944

L5

11r3052
CF HB 641

By: **Senator Muse**

Introduced and read first time: February 28, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Procurement and Minority**
3 **Business Enterprises – WSSC Procurement Oversight Committee**

4 FOR the purpose of establishing a WSSC Procurement Oversight Committee;
5 providing for the membership, terms, and duties of the Committee; requiring
6 the Washington Suburban Sanitary Commission to submit, on or before a
7 certain date, a written report to the Committee demonstrating compliance with
8 a certain minority business enterprise law; stating the findings of the General
9 Assembly; requiring the Committee to report to certain delegations to the
10 General Assembly on or before a certain date; and generally relating to the
11 procurement activities and minority business enterprise participation of the
12 Washington Suburban Sanitary Commission and the WSSC Procurement
13 Oversight Committee.

14 BY adding to
15 Article – Public Utilities
16 Section 20–207.1
17 Annotated Code of Maryland
18 (2010 Replacement Volume)

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

21 **Article – Public Utilities**

22 **20–207.1.**

23 **(A) THE GENERAL ASSEMBLY FINDS THAT THE COMMISSION IS NOT IN**
24 **COMPLIANCE WITH THE MINORITY BUSINESS ENTERPRISE REQUIREMENTS OF**
25 **THIS SUBTITLE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(B) (1) THERE IS A WSSC PROCUREMENT OVERSIGHT COMMITTEE.

(2) (I) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

1. ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

2. ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

3. ONE MEMBER APPOINTED BY THE COUNTY EXECUTIVE OF MONTGOMERY COUNTY; AND

4. ONE MEMBER APPOINTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY.

(II) EACH MEMBER SHALL:

1. BE A RESIDENT OF THE SANITARY DISTRICT; AND

2. HAVE EXPERIENCE WITH PROCUREMENT ACTIVITIES OR MINORITY BUSINESS ENTERPRISES.

(III) THE MEMBERS SHALL BE APPOINTED ON OR BEFORE OCTOBER 1, 2011.

(IV) THE MEMBERS SHALL SERVE FOR A TERM OF 4 YEARS AND MAY BE REAPPOINTED IF THE COMMITTEE ASSUMES AUTHORITY OVER PROCUREMENT ACTIVITIES OF THE COMMISSION UNDER SUBSECTION (C)(2) OF THIS SECTION.

(C) (1) THE COMMITTEE SHALL REVIEW ANY PROCUREMENT MADE BY THE COMMISSION FOR COMPLIANCE WITH THIS SUBTITLE.

(2) NOTWITHSTANDING ANY OTHER LAW, IF THE COMMITTEE DETERMINES THAT THE COMMISSION HAS NOT ACHIEVED COMPLIANCE WITH THIS SUBTITLE AS DEMONSTRATED BY THE REPORT REQUIRED BY SUBSECTION (D) OF THIS SECTION, THE COMMITTEE SHALL HAVE SOLE AUTHORITY OVER ANY PROCUREMENT ACTIVITIES OF THE COMMISSION.

(D) ON OR BEFORE DECEMBER 1, 2011, THE COMMISSION SHALL SUBMIT A WRITTEN REPORT TO THE COMMITTEE DEMONSTRATING ITS COMPLIANCE WITH THIS SUBTITLE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,
2 2013, the WSSC Procurement Oversight Committee shall report to the Montgomery
3 County and Prince George's County Senate and House delegations to the Maryland
4 General Assembly, in accordance with § 2-1246 of the State Government Article, on
5 the status of minority business enterprise participation in procurements for the
6 Washington Suburban Sanitary Commission.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 June 1, 2011.