

HOUSE BILL 1449

P2, J1, O1

3lr3290

By: **Delegate Reznik**

Introduced and read first time: February 20, 2013

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Council for the Procurement of Health, Educational, and Social Services –**
3 **Term Limits**

4 FOR the purpose of establishing the terms of certain members of the Council for the
5 Procurement of Health, Educational, and Social Services that are appointed by
6 the Governor; prohibiting certain members from serving more than a certain
7 number of consecutive terms, subject to a certain exception; authorizing the
8 Governor to remove certain members under certain circumstances; requiring
9 certain terms to expire in certain years; and generally relating to the Council for
10 the Procurement of Health, Educational, and Social Services and term limits.

11 BY repealing and reenacting, without amendments,
12 Article – State Finance and Procurement
13 Section 12–110(b) and (c)(1)(xiii)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2012 Supplement)

16 BY adding to
17 Article – State Finance and Procurement
18 Section 12–110(c)(3)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2012 Supplement)

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

23 **Article – State Finance and Procurement**

24 12–110.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) There is a Council for the Procurement of Health, Educational, and Social
2 Services.

3 (c) (1) The Council consists of the following members:

4 (xiii) four representatives of private organizations with experience
5 providing human services funded by contracts through State units, appointed by the
6 Governor;

7 **(3) (I) THIS PARAGRAPH APPLIES TO MEMBERS OF THE**
8 **COUNCIL APPOINTED UNDER PARAGRAPH (1)(XIII) OF THIS SUBSECTION.**

9 **(II) ON OR AFTER OCTOBER 1, 2013, THE TERM OF A**
10 **MEMBER IS 4 YEARS.**

11 **(III) THE TERMS OF MEMBERS ARE STAGGERED AS**
12 **REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON**
13 **OCTOBER 1, 2013.**

14 **(IV) AT THE END OF A TERM, A MEMBER CONTINUES TO**
15 **SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

16 **(V) A MEMBER WHO IS APPOINTED AFTER A TERM HAS**
17 **BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**
18 **APPOINTED AND QUALIFIES.**

19 **(VI) A MEMBER MAY NOT SERVE MORE THAN TWO**
20 **CONSECUTIVE TERMS, EXCEPT THAT A MEMBER APPOINTED BEFORE OCTOBER**
21 **1, 2013, MAY SERVE ONE ADDITIONAL 4-YEAR TERM WHEN THE MEMBER'S**
22 **CURRENT TERM EXPIRES.**

23 **(VII) THE GOVERNOR MAY REMOVE A MEMBER FOR NEGLECT**
24 **OF DUTY, INCOMPETENCE, OR MISCONDUCT.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
26 members of the Council for the Procurement of Health, Educational, and Social
27 Services that were appointed by the Governor, as required by § 12-110(c)(1)(xiii) of the
28 State Finance and Procurement Article, in 2012 shall expire as follows:

29 (1) two members in 2014; and

30 (2) two members in 2016.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2013.