

SENATE BILL 1063

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3lr3420

By: **Senator McFadden**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 13, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Evaluation of the Application of Minority Business Enterprise Program by**
3 **the Public Service Commission**

4 FOR the purpose of requiring the Department of Transportation, the Governor's Office
5 of Minority Affairs, and the Public Service Commission, in consultation with the
6 Office of the Attorney General, to evaluate the feasibility and constitutionality
7 of requiring the Commission to apply the provisions of a certain minority
8 business enterprise program when exercising certain authority; providing for
9 the termination of this Act; and generally relating to an evaluation of the
10 application of the State minority business enterprise program by the Public
11 Service Commission in exercising certain authority.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That:

14 (a) The Department of Transportation, the Governor's Office of Minority
15 Affairs, and the Public Service Commission, in consultation with the Office of the
16 Attorney General, shall evaluate whether requiring the Public Service Commission to
17 apply the provisions of the minority business enterprise program under Title 14,
18 Subtitle 3 of the State Finance and Procurement Article when exercising its authority
19 under § 7-510(c)(6) of the Public Utilities Article would be feasible and in compliance
20 with the requirements of the Croson decision and any subsequent federal or
21 constitutional requirements.

22 (b) On or before December 1, 2013, the Department of Transportation, the
23 Governor's Office of Minority Affairs, and the Public Service Commission shall report
24 their findings and recommendations to the General Assembly in accordance with §
25 2-1246 of the State Government Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2013. It shall remain effective for a period of 1 year and, at the end of June 30,
3 2014, with no further action required by the General Assembly, this Act shall be
4 abrogated and of no further force and effect.