

SENATE BILL 972

P2, C5

4r2921
CF 4r2833

By: **Senator Jones–Rodwell**

Introduced and read first time: February 7, 2014

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 – Data Collection and Termination Extension**

4 FOR the purpose of requiring the Department of Transportation, the Governor’s Office
5 of Minority Affairs, and the Public Service Commission to collect certain data
6 regarding certain minority business enterprise participation with certain
7 electricity suppliers from certain electricity suppliers that have entered into a
8 certain memorandum of understanding; altering the date by which certain
9 persons must submit a certain report to the General Assembly; altering the
10 termination of a certain Act; and generally relating to an evaluation of the
11 application of the State minority business enterprise program by the Public
12 Service Commission in exercising certain authority.

13 BY repealing and reenacting, with amendments,
14 Chapter 661 of the Acts of the General Assembly of 2013
15 Section 1 and 2

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

18 **Chapter 661 of the Acts of 2013**

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That:

21 (a) The Department of Transportation, the Governor’s Office of Minority
22 Affairs, and the Public Service Commission, in consultation with the Office of the
23 Attorney General, shall evaluate whether requiring the Public Service Commission to
24 apply the provisions of the minority business enterprise program under Title 14,
25 Subtitle 3 of the State Finance and Procurement Article when exercising its authority
26 under § 7–510(c)(6) of the Public Utilities Article would be feasible and in compliance

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 with the requirements of the Croson decision and any subsequent federal or
2 constitutional requirements.

3 **(B) IN PERFORMING THE EVALUATION UNDER SUBSECTION (A) OF THIS**
4 **SECTION, THE DEPARTMENT OF TRANSPORTATION, THE GOVERNOR'S OFFICE**
5 **OF MINORITY AFFAIRS, AND THE PUBLIC SERVICE COMMISSION SHALL**
6 **COLLECT FROM THE ELECTRICITY SUPPLIERS THAT HAVE ENTERED INTO A**
7 **MEMORANDUM OF UNDERSTANDING WITH THE PUBLIC SERVICE COMMISSION**
8 **CONCERNING MINORITY BUSINESS ENTERPRISE PARTICIPATION DATA**
9 **REGARDING MINORITY BUSINESS ENTERPRISE PARTICIPATION IN CONTRACTS**
10 **AND SUBCONTRACTS WITH THOSE ELECTRICITY SUPPLIERS.**

11 **[(b)] (C)** On or before December 1, **[2013] 2014**, the Department of
12 Transportation, the Governor's Office of Minority Affairs, and the Public Service
13 Commission shall report their findings and recommendations to the General Assembly
14 in accordance with § 2-1246 of the State Government Article.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2013. It shall remain effective for a period of **[1 year] 2 YEARS** and, at the end
17 of June 30, **[2014] 2015**, with no further action required by the General Assembly,
18 this Act shall be abrogated and of no further force and effect.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 June 1, 2014.