

HOUSE BILL 838

Unofficial Copy  
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2001 Regular Session  
11r0286  
CF 11r2906

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By: **Montgomery County Delegation and Prince George's County  
Delegation**

Introduced and read first time: February 9, 2001  
Assigned to: Economic Matters

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Committee Report: Favorable  
House action: Adopted  
Read second time: March 19, 2001

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2                                   **Washington Suburban Sanitary Commission - Local Small Business**  
3                                   **Enterprise Program**  
4                                   **MC/PG 101-01**

5 FOR the purpose of authorizing the Washington Suburban Sanitary Commission to  
6     adopt a local small business enterprise program for certain purposes;  
7     establishing certain eligibility criteria for the program; requiring the  
8     Commission to adopt certain criteria and procedures for the program; requiring  
9     the Commission to review certain criteria and procedures each year; and  
10    generally relating to the Washington Suburban Sanitary Commission and the  
11    local small business enterprise program.

12 BY adding to  
13    Article 29 - Washington Suburban Sanitary District  
14    Section 3-110  
15    Annotated Code of Maryland  
16    (1997 Replacement Volume and 2000 Supplement)

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

1 **Article 29 - Washington Suburban Sanitary District**

2 3-110.

3 (A) BY RESOLUTION OR REGULATION, THE WSSC MAY IMPLEMENT A LOCAL  
4 SMALL BUSINESS ENTERPRISE PROGRAM.

5 (B) THE PURPOSE OF THE PROGRAM IS TO ASSIST SMALL BUSINESSES THAT  
6 ARE LOCATED IN MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY THROUGH  
7 THE ESTABLISHMENT OF A SHELTERED MARKET OR OTHER APPROPRIATE  
8 PREFERENCE OR ASSISTANCE INVOLVING THE AWARD OF CONSTRUCTION  
9 CONTRACTS OR THE PROCUREMENT OF GOODS AND SERVICES BY THE WSSC.

10 (C) THE WSSC SHALL ADOPT:

11 (1) ELIGIBILITY CRITERIA FOR BUSINESSES TO QUALIFY FOR THE  
12 LOCAL SMALL BUSINESS ENTERPRISE PROGRAM, INCLUDING:

13 (I) A NET WORTH NOT EXCEEDING \$250,000 UNDER WSSC  
14 GUIDELINES;

15 (II) AN AVERAGE NET INCOME AFTER FEDERAL INCOME TAXES  
16 FOR THE PRECEDING 2 YEARS, EXCLUDING ANY CARRYOVER LOSSES, NOT  
17 EXCEEDING \$100,000;

18 (III) A PRINCIPAL PLACE OF BUSINESS OR SIGNIFICANT  
19 EMPLOYMENT PRESENCE IN MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY;  
20 AND

21 (IV) ANY OTHER ELIGIBILITY CRITERIA THAT THE WSSC  
22 DETERMINES TO BE NECESSARY OR OTHERWISE APPROPRIATE FOR THE PROMOTION  
23 OF LOCAL SMALL BUSINESSES IN ITS SERVICE AREA; AND

24 (2) ADMINISTRATIVE PROCEDURES FOR CONDUCTING THE PROGRAM.

25 (D) A BUSINESS ENTERPRISE MAY QUALIFY AS A LOCAL SMALL BUSINESS FOR  
26 PURPOSES OF THE PROGRAM WITHOUT REGARD TO THE RACE, ETHNICITY, OR  
27 GENDER OF THE PARTICIPANTS IN THE BUSINESS ENTERPRISE.

28 (E) THE WSSC SHALL ESTABLISH GRADUATION CRITERIA FROM THE  
29 PROGRAM FOR LOCAL SMALL BUSINESSES THAT THE WSSC DETERMINES NO  
30 LONGER REQUIRE THE ASSISTANCE OR BENEFITS OFFERED BY THE PROGRAM.

31 (F) THE WSSC SHALL REVIEW THE ELIGIBILITY CRITERIA AND  
32 ADMINISTRATIVE PROCEDURES OF THE PROGRAM EACH YEAR TO ASSESS THEIR  
33 EFFECTIVENESS IN FURTHERING THE PURPOSES OF THE PROGRAM.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 July 1, 2001.

