

HOUSE BILL 182

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P2

2003 Regular Session
(3r0139)

ENROLLED BILL

-- Health and Government Operations/Education, Health, and Environmental Affairs --

Introduced by **Chairman, Health and Government Operations Committee (By Request - Departmental - Energy Administration, Maryland) and Delegates Benson, Boutin, Bromwell, Costa, Donoghue, Elliott, Goldwater, Haynes, Hubbard, Kach, Mandel, McDonough, Murray, Nathan-Pulliam, Oaks, Pendergrass, Redmer, Rosenberg, Rudolph, Smigiel, V. Turner, and Weldon**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this ____ day of _____ at _____ o'clock, ____M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Energy Administration - Procurement - Federal Energy Grants**
3 **and Cooperative Agreements**

4 FOR the purpose of exempting the Maryland Energy Administration from certain
5 requirements of the procurement law when applying for and implementing
6 certain federal grants and cooperative agreements relating to energy
7 conservation, energy efficiency, or renewable energy projects; requiring the
8 Maryland Energy Administration to report to the General Assembly by a certain
9 date; and generally relating to the exemption of the Maryland Energy
10 Administration from certain requirements of the procurement law.

11 BY repealing and reenacting, with amendments,

1 Article - State Finance and Procurement
2 Section 11-203(a)
3 Annotated Code of Maryland
4 (2001 Replacement Volume and 2002 Supplement)

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

7 **Article - State Finance and Procurement**

8 11-203.

9 (a) Except as provided in subsection (b) of this section, this Division II does
10 not apply to:

11 (1) procurement by:

12 (i) the Blind Industries and Services of Maryland;

13 (ii) the Maryland State Arts Council, for the support of the arts;

14 (iii) the Maryland Health and Higher Educational Facilities
15 Authority, if no State money is to be spent on a procurement contract;

16 (iv) the Maryland Higher Education Supplemental Loan Authority,
17 if no State money is to be spent on a procurement contract;

18 (v) the Maryland Industrial Training Program or the Partnership
19 for Workforce Quality Program in the Department of Business and Economic
20 Development, for training services or programs for new or expanding businesses or
21 industries or businesses or industries in transition;

22 (vi) the Maryland Food Center Authority, to the extent the
23 Authority is exempt under Title 13, Subtitle 1 of Article 41 of the Code;

24 (vii) the Maryland Public Broadcasting Commission, for services of
25 artists for educational and cultural television productions;

26 (viii) public institutions of higher education, for cultural,
27 entertainment, and intercollegiate athletic procurement contracts;

28 (ix) the Maryland State Planning Council on Developmental
29 Disabilities, for services to support demonstration, pilot, and training programs;

30 (x) the Maryland Automobile Insurance Fund;

31 (xi) the Maryland Historical Trust for:

32 1. surveying and evaluating architecturally, archeologically,
33 historically, or culturally significant properties; and

- 1 (iii) an agency of a political subdivision of the State;
- 2 (iv) a government, including the government of another state, of the
3 United States, or of another country;
- 4 (v) an agency or political subdivision of a government; or
- 5 (vi) a bistate, multistate, bicounty, or multicounty governmental
6 agency; or
- 7 (3) procurement in support of enterprise activities for the purpose of:
- 8 (i) direct resale; or
- 9 (ii) remanufacture and subsequent resale.

10 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September
11 30, 2005, the Maryland Energy Administration shall submit to the General Assembly,
12 in accordance with § 2-1246 of the State Government Article, a report that
13 summarizes the Administration's activities under this Act during the period of July 1,
14 2003 through June 30, 2005, and includes:

15 (1) the number of grants and cooperative agreements entered into with
16 private entities;

17 (2) an identification and brief description of each private entity involved
18 in a grant or cooperative agreement;

19 (3) the amount of financial assistance received under each grant and
20 cooperative agreement; and

21 (4) the nature and status of the energy conservation, energy efficiency, or
22 renewable energy project to which each grant or cooperative agreement relates.

23 ~~SECTION 2-3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
24 effect July 1, 2003.