

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL NO. 600

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 2 and 3 and substitute “State Board of Contract Appeals - State Procurement Law”; in line 9, after the semicolon insert “requiring the Board of Public Works and the Department of Legislative Services to conduct certain studies and submit certain reports on or before a certain date;”; in line 10, after “of” insert “certain provisions of”; and strike beginning with “legal” in line 10 down through “Appeals” in line 12 and substitute “the State Board of Contract Appeals and the State’s procurement law”;

AMENDMENT NO. 2

On page 2, strike in their entirety lines 24 through 27, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly finds that the current level of decentralization of the procurement process in Maryland and the growing number of units of State government seeking and obtaining exemptions from the procurement law may thwart the purposes and protections originally envisioned in the enactment of the State procurement law. Accordingly, the General Assembly requests that:

(a) The Board of Public Works:

(1) examine the level and extent of the delegation of its procurement responsibilities to units of State government and whether there are appropriate safeguards and accountability measures in place to promote the purposes set forth in § 11-201 of the State Finance and Procurement Article, including providing increased economy in the State procurement system, providing safeguards for maintaining a State procurement system of quality and integrity, and promoting the development of uniform procurement procedures to the extent possible; and

(2) on or before December 1, 2004, submit a report, including any

(Over)

recommendations for revisions to the State procurement law or regulations, to the Governor and the General Assembly, in accordance with § 2-1246 of the State Government Article; and

(b) The Department of Legislative Services, with the assistance and cooperation of the Board of Public Works and State units:

(1) conduct a study that reviews for each State entity that is exempt from any portion of the State procurement law:

(i) the extent of the exemption;

(ii) the original justification for the exemption and whether the circumstances continue to exist that justified the original exemption;

(iii) any procurement policies or procedures developed by the entity and the extent to which the policies and procedures comply with the purposes of State procurement law;

(iv) the existence of any accountability measures for determining the efficiency, effectiveness, and economy with which the entity is using State resources; and

(v) the date of, and findings from, the most recent legislative audit of the entity; and

(2) on or before December 1, 2004, submit a report to the Governor and General Assembly, in accordance with § 2-1246 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2004. Section 1 of this Act shall remain effective for a period of 2 years and, at the end of June 30, 2006, with no further action required by the General Assembly, Section 1 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act shall remain effective for a period of 6 months and, at the end of December 31, 2004, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.