

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

Introduced and read first time: February 7, 2005

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Minority and Local Small**  
3 **Business Enterprise Programs**  
4 **MC/PG 119-05**

5 FOR the purpose of establishing the Office of Small, Local, and Minority Business  
6 Enterprise (Office) in the Washington Suburban Sanitary Commission (WSSC);  
7 requiring the Office to administer certain minority and local small business  
8 enterprise programs; establishing the Director of the Office; providing for the  
9 personnel status of the Director; imposing certain duties on the Office as to  
10 minority business enterprises; imposing certain duties on the WSSC and a  
11 contractor as to compliance with certified minority business enterprise  
12 subcontract participation goals; requiring a bid or proposal for certain WSSC  
13 procurement contracts to include the expected degree of minority business  
14 enterprise participation under certain circumstances; requiring certain WSSC  
15 rules and regulations to require a bid or proposal for certain WSSC procurement  
16 contracts to include proof of certified minority business enterprise commitment  
17 under certain circumstances; altering the scope of certain business eligibility  
18 criteria that the WSSC is required to adopt as to the local small business  
19 enterprise program; altering the termination date of certain minority business  
20 enterprise programs in the WSSC; defining certain terms; and generally  
21 relating to minority and local small business enterprise programs and the  
22 Washington Suburban Sanitary Commission.

23 BY repealing and reenacting, without amendments,  
24 Article 29 - Washington Suburban Sanitary District  
25 Section 3-102(b)  
26 Annotated Code of Maryland  
27 (2003 Replacement Volume and 2004 Supplement)

28 BY repealing and reenacting, with amendments,  
29 Article 29 - Washington Suburban Sanitary District  
30 Section 3-102(d), (e), and (f), 3-109, and 3-110

1 Annotated Code of Maryland  
2 (2003 Replacement Volume and 2004 Supplement)

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

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

6 3-102.

7 (b) This section only applies to design/build contracts and construction  
8 contracts.

9 (d) (1) (i) In this subsection the following words have the meanings  
10 indicated.

11 (ii) "Evaluated bid price" means the price of a bid after adjustment  
12 in accordance with objective measurable criteria.

13 (iii) "Objective measurable criteria" means standards that enable  
14 the WSSC to compare the economy, effectiveness, or value of the subject of the bids.

15 (2) If a contract is awarded based on competitive sealed bids, the WSSC  
16 shall seek bids by issuing an invitation to bid.

17 (3) Subject to paragraphs (4) through (6) of this subsection, an invitation  
18 to bid shall:

19 (i) Include the specifications of the contract, INCLUDING THE  
20 EXPECTED DEGREE OF MINORITY BUSINESS ENTERPRISE PARTICIPATION, AS  
21 PROVIDED IN SUBSECTION (F)(3)(VI) OF THIS SECTION; and

22 (ii) State whether the contract will be awarded based on the lowest  
23 bid price or the lowest evaluated bid price.

24 (4) If a contract will be awarded on an evaluated bid price, the invitation  
25 to bid shall include the objective measurable criteria by which the lowest evaluated  
26 bid price will be determined.

27 (5) The WSSC shall award contracts based on competitive sealed bids to  
28 the responsible bidder who submits the lowest bid price or lowest evaluated bid price,  
29 as appropriate.

30 (6) If the WSSC determines that an initial preparation of specifications  
31 for price bids is impractical, the invitation for bids may:

32 (i) Include a request for unpriced technical offers or samples; and

33 (ii) Direct the bidder to submit a:



1 that the WSSC determines is the most advantageous to the WSSC, considering the  
2 evaluation factors set out in the request for proposals.

3 (f) (1) In this subsection "minority business enterprise" has the meaning  
4 stated in § 14-301 of the State Finance and Procurement Article.

5 (2) (I) By resolution and by implementing rules and regulations, the  
6 WSSC shall establish a mandatory minority business utilization program to facilitate  
7 the participation of responsible certified minority business enterprises in contracts  
8 awarded by the WSSC in accordance with competitive bidding or proposal procedures.

9 (II) THE OFFICE OF SMALL, LOCAL, AND MINORITY BUSINESS  
10 ENTERPRISE, ESTABLISHED UNDER § 3-109 OF THIS SUBTITLE, SHALL ADMINISTER  
11 THE MINORITY BUSINESS ENTERPRISE PROGRAM ESTABLISHED UNDER  
12 SUBPARAGRAPH (I) OF THIS PARAGRAPH.

13 (3) The rules and regulations that establish the program under  
14 paragraph (2) of this subsection shall include, but not be limited to, provisions that:

15 (i) Recognize the certification of minority business enterprises by  
16 the State certification agency designated under § 14-303(b) of the State Finance and  
17 Procurement Article;

18 (ii) Recognize any other certification program that in the judgment  
19 of the WSSC substantially duplicates the requirements of the State certification  
20 agency;

21 (iii) Provide for an increase in minority business participation as  
22 prime contractors and subcontractors;

23 (iv) Permit the waiver of all or part of the provisions of the program  
24 for a specific contract if the WSSC determines that the application of the program to  
25 the contract conflicts with the WSSC's overall objectives and responsibilities; [and]

26 (v) Provide for the graduation of a minority business enterprise  
27 from the program if the WSSC determines that the minority business enterprise no  
28 longer requires the assistance or benefits offered by the program; AND

29 (VI) REQUIRE THAT A BID OR PROPOSAL BASED ON A SOLICITATION  
30 WITH AN EXPECTED DEGREE OF MINORITY BUSINESS ENTERPRISE PARTICIPATION  
31 INCLUDE PROOF OF A CERTIFIED MINORITY BUSINESS ENTERPRISE COMMITMENT  
32 AT THE TIME OF SUBMISSION.

33 (4) Before accepting a certification program under paragraph (3)(ii) of  
34 this subsection, the WSSC shall examine the program to ensure that it adheres to the  
35 following guidelines:

36 (i) Bona fide minority group membership shall be established on  
37 the basis of the individual's claim that the individual is a member of a minority group

1 and is so regarded by that particular minority community. However, the certifying  
2 agency is not required to accept this claim if it determines that the claim is invalid.

3 (ii) An eligible minority business enterprise shall be an  
4 independent business. The ownership and control by minorities shall be real,  
5 substantial, and continuing and shall go beyond the pro forma ownership of the  
6 business as reflected in its ownership documents. The minority owners shall enjoy the  
7 customary incidents of ownership and shall share in the risks and profits  
8 commensurate with their ownership interests as demonstrated by an examination of  
9 the substance rather than form of arrangements. Recognition of the business as a  
10 separate entity for tax or corporate purposes is not necessarily sufficient for  
11 recognition as a minority business enterprise. In determining whether a potential  
12 minority business enterprise is an independent business, the certifying agency shall  
13 consider all relevant factors, including the date the business was established, the  
14 adequacy of its resources for the work of the contract, and the degree to which  
15 financial, equipment leasing, and other relationships with nonminority businesses  
16 vary from industry practice.

17 (iii) The minority owners shall also possess the power to direct or  
18 cause the direction of the management and policies of the business and to make the  
19 day-to-day as well as major decisions on matters of management, policy, and  
20 operations. The business may not be subject to any formal or informal restrictions,  
21 through bylaw provisions, partnership agreements, or charter requirements for  
22 cumulative voting rights or otherwise that prevent the minority owners, without the  
23 cooperation or vote of any owner who is not a minority, from making a business  
24 decision of the business.

25 (iv) If the owners of the business who are not minorities are  
26 disproportionately responsible for the operation of the firm, the firm is not controlled  
27 by minorities and may not be considered a minority business enterprise within the  
28 meaning of this section. Where the actual management of the business is contracted  
29 out to individuals other than the owner, those persons who have the ultimate power to  
30 hire and fire the managers may, for the purposes of this section, be considered as  
31 controlling the business.

32 (v) All securities which constitute ownership or control of a  
33 corporation for purposes of establishing it as a minority business enterprise under  
34 this section shall be held directly by minorities. No securities held in trust, or by any  
35 guardian for a minor, shall be considered as held by minorities in determining the  
36 ownership or control of a corporation.

37 (vi) The contributions of capital or expertise by the minority owners  
38 to acquire their interests in the business shall be real and substantial. Insufficient  
39 contributions include a promise to contribute capital, a note payable to the business  
40 or its owners who are not socially and economically disadvantaged, or the mere  
41 participation as an employee, rather than as a manager.

42 (vii) The certifying agency shall give special consideration to the  
43 following additional circumstances in determining eligibility:

1                                   1.       Newly formed businesses and businesses whose ownership  
2 or control has changed since the date of the advertisement of the contract are closely  
3 scrutinized to determine the reasons for the timing of the formation of or change in  
4 the businesses;

5                                   2.       A previous or continuing employer-employee relationship  
6 between or among present owners is carefully reviewed to ensure that the  
7 employee-owner has management responsibilities and capabilities discussed in this  
8 section; and

9                                   3.       Any relationship between a minority business enterprise  
10 and a business which is not a minority business enterprise which has an interest in  
11 the minority business enterprise is carefully reviewed to determine if the interest of  
12 the nonminority business conflicts with the ownership and control requirements of  
13 this section.

14                   (5)   (i)       The WSSC may conduct any impartial fact-finding study in  
15 connection with a minority business enterprise program for consistency with  
16 applicable law.

17                                   (ii)       The WSSC shall report the findings of any review completed  
18 under this paragraph to the Montgomery County and Prince George's County  
19 Delegations to the General Assembly.

20                   (6)       By September 15 of each year, the WSSC shall issue a report  
21 concerning the implementation and administration of the minority business  
22 enterprise program for the fiscal year ending on the preceding June 30, and  
23 appropriate recommendations concerning the program, to the Montgomery County  
24 and Prince George's County Senate and House Delegations to the Maryland General  
25 Assembly.

26                   (7)       The provisions of this subsection shall be null and void and may not  
27 be enforced after July 1, [2005] 2010.

28 3-109.

29   (a)   (1)       In this [section,] SECTION THE FOLLOWING WORDS HAVE THE  
30 MEANINGS INDICATED.

31                   (2)       "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF SMALL,  
32 LOCAL, AND MINORITY BUSINESS ENTERPRISE ESTABLISHED UNDER SUBSECTION  
33 (B)(2) OF THIS SECTION.

34                   (3)       ["minority] "MINORITY business enterprise" means any legal entity  
35 that is organized to engage in commercial transactions and at least 51 percent owned  
36 and controlled by 1 or more individuals who are members of a group that is:

37                   [(1)]   (I)       Disadvantaged socially or economically by the effects of past  
38 discrimination, including discrimination as to certification; and

1            [(2)]    (II)    Identified by a study conducted in accordance with this section  
2 or a similar study previously conducted.

3            (4)        "OFFICE" MEANS THE OFFICE OF SMALL, LOCAL, AND MINORITY  
4 BUSINESS ENTERPRISE ESTABLISHED UNDER SUBSECTION (B)(2) OF THIS SECTION.

5        (b)        (1)        By resolution and implementing rules and regulations, the WSSC  
6 shall establish a minority business utilization program to facilitate the participation  
7 of responsible certified minority business enterprises in contracts awarded by the  
8 WSSC for goods and services not covered by § 3-102 of this article if:

9            [(1)]    (I)        The WSSC determines that minority business enterprises are  
10 underrepresented in the award of these contracts due to the effects of past  
11 discrimination; and

12           [(2)]    (II)       The WSSC determines that such a program is necessary to  
13 remedy the effects of past discrimination against minority business enterprises in  
14 contracting with the WSSC.

15           (2)        (I)        THERE IS AN OFFICE OF SMALL, LOCAL, AND MINORITY  
16 BUSINESS ENTERPRISE IN THE WSSC.

17                    (II)        THE OFFICE SHALL ADMINISTER THE PROGRAMS THE WSSC IS  
18 REQUIRED TO ESTABLISH UNDER PARAGRAPH (1) OF THIS SUBSECTION AND §§  
19 3-102(F) AND 3-110 OF THIS SUBTITLE.

20                    (III)        THERE IS A DIRECTOR WHO SHALL BE IN CHARGE OF THE  
21 OFFICE.

22                    (IV)        THE DIRECTOR SHALL:

23                            1.        BE A MERIT PERSONNEL EMPLOYEE; AND

24                            2.        RECEIVE A SALARY COMMENSURATE WITH THE SALARY  
25 OF THE DEPARTMENT HEADS IN THE WSSC.

26        (c)        The rules and regulations that establish the program under subsection (b)  
27 of this section shall include provisions that:

28            (1)        Recognize the certification of minority business enterprises by the  
29 State certification agency designated under § 14-303(b) of the State Finance and  
30 Procurement Article;

31            (2)        Recognize any other certification program that in the judgment of the  
32 WSSC substantially duplicates the requirements of the State certification agency;

33            (3)        Provide for minority business participation through subcontracting;

34            (4)        Except as provided in paragraph (5) of this subsection, provide for a  
35 system of granting a preference of up to the lesser of 5% or \$50,000 to minority  
36 business enterprises in evaluating bids and proposals;

1           (5)   (i)    Subject to the provisions of subparagraphs (ii), (iii), and (iv) of  
2 this paragraph, establish a sheltered market program in which bidding on  
3 procurement contracts designated by the WSSC as appropriate is restricted to  
4 certified minority business enterprises;

5                   (ii)    The sheltered market program under this paragraph may not  
6 be utilized until all less restrictive remedies under this subsection and race-neutral  
7 remedies such as assistance with bonding requirements, financing, or bidding  
8 procedures for small firms have been used and found to be ineffective;

9                   (iii)   Upon the bid of at least 3 certified minority business  
10 contractors, a contract shall be awarded under this paragraph to the lowest of those  
11 bidders; and

12                   (iv)   If fewer than 3 certified minority business enterprises bid on a  
13 contract under this paragraph, the contract shall be awarded under the general  
14 provisions of paragraph (4) of this subsection;

15           (6)    Provide for the graduation of a minority business enterprise from the  
16 program if the WSSC determines that the minority business enterprise no longer  
17 requires the assistance or benefits offered by the program;

18           (7)    Require the solicitation document accompanying each solicitation to  
19 set forth the rules and regulations of the minority business utilization program;

20           (8)    Require the geographic location and the principal place of business of  
21 the minority business enterprise to be a consideration for participation in this  
22 program. Montgomery County businesses and Prince George's County businesses  
23 shall each have a targeted percentage of at least 40% of any contracts;

24           (9)    Provide for the WSSC to refuse to recognize the certification of any  
25 business found to be in violation of the purposes of the program and to permanently  
26 bar any active principals of a violating business from future participation in the  
27 program; [and]

28           (10)   Permit the waiver of all or part of the provisions of the program for a  
29 specific contract if the WSSC determines that the application of the program to the  
30 contract conflicts with the WSSC's overall objectives and responsibilities, and provide  
31 for the WSSC to report annually to the Montgomery County and Prince George's  
32 County House and Senate Delegations on those waivers; AND

33           (11)   **REQUIRE EACH BID OR PROPOSAL THAT IS BASED ON A**  
34 **SOLICITATION WITH AN EXPECTED DEGREE OF MINORITY BUSINESS ENTERPRISE**  
35 **PARTICIPATION TO INCLUDE PROOF OF A CERTIFIED MINORITY BUSINESS**  
36 **ENTERPRISE COMMITMENT AT THE TIME OF SUBMISSION.**

37   (d)    Before accepting a certification program under subsection (c)(2) of this  
38 section, the WSSC shall examine the program to ensure that:

1 (1) It adheres to the guidelines set forth in § 3-102(f)(4) of this article;  
2 and

3 (2) The principal owner of an eligible minority business enterprise is in  
4 not more than 1 certified business that is participating in the WSSC minority  
5 business enterprise program under this section.

6 (e) (1) The WSSC may conduct any fact-finding study in connection with a  
7 minority business enterprise program for consistency with applicable law.

8 (2) The WSSC shall report the findings of any review completed under  
9 this paragraph to the Montgomery County and Prince George's County Delegations to  
10 the General Assembly.

11 (f) By September 15 of each year, the WSSC shall issue a report concerning  
12 the implementation and administration of the minority business enterprise program  
13 for the fiscal year ending on the preceding June 30, and appropriate  
14 recommendations concerning the program, to the Montgomery County and Prince  
15 George's County Senate and House Delegations to the Maryland General Assembly.

16 (G) (1) THE OFFICE SHALL:

17 (I) CARRY OUT EACH WSSC PROGRAM THAT IS CREATED TO  
18 PROMOTE THE GROWTH OF OR PARTICIPATION BY MINORITY BUSINESS  
19 ENTERPRISES;

20 (II) PROMOTE AND COORDINATE THE PLANS, PROGRAMS, AND  
21 OPERATIONS OF THE WSSC THAT PROMOTE OR OTHERWISE AFFECT THE  
22 ESTABLISHMENT, PRESERVATION, AND STRENGTHENING OF MINORITY BUSINESS  
23 ENTERPRISES;

24 (III) PROMOTE ACTIVITIES AND THE USE OF THE RESOURCES OF  
25 THE WSSC, LOCAL GOVERNMENTS, AND PRIVATE ENTITIES FOR THE GROWTH OF  
26 MINORITY BUSINESS ENTERPRISES;

27 (IV) PROVIDE TECHNICAL AND MANAGERIAL ASSISTANCE TO  
28 MINORITY BUSINESS ENTERPRISES; AND

29 (V) SCHEDULE SEMINARS AND WORKSHOPS TO EDUCATE  
30 MINORITY BUSINESSES ON THE WAY THE WSSC CONDUCTS BUSINESS.

31 (2) TO ENSURE COMPLIANCE WITH CERTIFIED MINORITY BUSINESS  
32 ENTERPRISE SUBCONTRACT PARTICIPATION GOALS, THE OFFICE SHALL VERIFY  
33 THAT THE CERTIFIED MINORITY BUSINESS ENTERPRISES LISTED IN THE SCHEDULE  
34 OF PARTICIPATION ARE ACTUALLY PERFORMING WORK AND RECEIVING  
35 COMPENSATION AS SET FORTH IN THE SCHEDULE.

36 (3) TO FACILITATE THE OFFICE COMPLETING ITS DUTIES UNDER  
37 PARAGRAPH (2) OF THIS SUBSECTION, A CONTRACTOR SHALL:

1 (I) PERMIT THE OFFICE TO INSPECT ANY RELEVANT MATTER,  
2 INCLUDING RECORDS AND THE JOB SITE;

3 (II) PERMIT THE OFFICE TO INTERVIEW THE CONTRACTOR'S  
4 SUBCONTRACTORS AND EMPLOYEES;

5 (III) IF PERFORMING A CONSTRUCTION CONTRACT, ENSURE THAT  
6 ALL SUBCONTRACTORS ARE PAID ANY UNDISPUTED AMOUNT TO WHICH THAT  
7 SUBCONTRACTOR IS ENTITLED WITHIN 10 CALENDAR DAYS OF RECEIVING  
8 PROGRESS OR FINAL PAYMENT FROM THE WSSC AND OTHERWISE COMPLY WITH  
9 WSSC REGULATIONS;

10 (IV) SUBMIT MONTHLY TO THE WSSC A REPORT LISTING UNPAID  
11 INVOICES OVER 30 DAYS OLD RECEIVED FROM A CERTIFIED MINORITY BUSINESS  
12 ENTERPRISE SUBCONTRACTOR AND THE REASON PAYMENT HAS NOT BEEN MADE;  
13 AND

14 (V) INCLUDE IN ITS AGREEMENTS WITH ITS CERTIFIED MINORITY  
15 BUSINESS ENTERPRISE SUBCONTRACTORS A REQUIREMENT THAT THE  
16 SUBCONTRACTORS SUBMIT MONTHLY TO THE WSSC A REPORT THAT:

17 1. IDENTIFIES THE PRIME CONTRACT; AND

18 2. LISTS PAYMENT RECEIVED FROM THE CONTRACTOR IN  
19 THE PRECEDING 30 DAYS AND INVOICES FOR WHICH THE SUBCONTRACTOR HAS NOT  
20 BEEN PAID.

21 (4) (I) ON DETERMINING A CONTRACTOR'S NONCOMPLIANCE, THE  
22 WSSC SHALL NOTIFY THE CONTRACTOR IN WRITING OF THE FINDINGS AND SPECIFY  
23 WHAT CORRECTIVE ACTIONS ARE REQUIRED.

24 (II) A NONCOMPLIANT CONTRACTOR SHALL INITIATE THE  
25 CORRECTIVE ACTIONS WITHIN 10 DAYS OF RECEIVING THE WRITTEN NOTICE AND  
26 COMPLETE THE CORRECTIVE ACTION WITHIN THE TIME SPECIFIED BY THE WSSC.

27 (5) IF THE WSSC DETERMINES THAT A MATERIAL NONCOMPLIANCE  
28 WITH MINORITY BUSINESS ENTERPRISE CONTRACT PROVISIONS EXISTS AND THE  
29 PRIME CONTRACTOR REFUSES OR FAILS TO TAKE THE CORRECTIVE ACTIONS  
30 REQUIRED BY THE WSSC, THE WSSC MAY IMPOSE THE FOLLOWING SANCTIONS:

31 (I) TERMINATION OF THE CONTRACT;

32 (II) REFERRAL TO THE GENERAL MANAGER OR COMMISSIONERS  
33 OF THE WSSC FOR APPROPRIATE ACTION; OR

34 (III) INITIATION OF ANY OTHER SPECIFIC REMEDY IDENTIFIED BY  
35 CONTRACT.

36 (6) (I) ON COMPLETION OF A CONTRACT OR BEFORE FINAL PAYMENT  
37 OR RELEASE OF RETAINAGE, THE WSSC MAY REQUIRE A PRIME CONTRACTOR ON

1 ANY CONTRACT HAVING A MINORITY BUSINESS ENTERPRISE SUBCONTRACT GOAL  
2 TO SUBMIT TO THE WSSC A FINAL REPORT, IN AFFIDAVIT FORM AND UNDER  
3 PENALTY OF PERJURY, OF ALL PAYMENTS MADE TO OR WITHHELD FROM MINORITY  
4 BUSINESS ENTERPRISE SUBCONTRACTORS.

5 (II) EACH SOLICITATION SHALL CONTAIN NOTICE OF THE  
6 REQUIREMENTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

7 [(g)] (H) The provisions of this section shall be void and may not be enforced  
8 after July 1, [2005] 2010.

9 3-110.

10 (a) (1) By resolution or regulation, the WSSC may implement a local small  
11 business enterprise program.

12 (2) THE OFFICE OF SMALL, LOCAL, AND MINORITY BUSINESS  
13 ENTERPRISE, ESTABLISHED UNDER § 3-109 OF THIS SUBTITLE, SHALL ADMINISTER  
14 THE LOCAL SMALL BUSINESS ENTERPRISE PROGRAM ESTABLISHED UNDER  
15 PARAGRAPH (1) OF THIS SUBSECTION.

16 (b) The purpose of the program is to assist small businesses that are located in  
17 Montgomery County and Prince George's County through the establishment of a  
18 sheltered market or other appropriate preference or assistance involving the award of  
19 construction contracts or the procurement of goods and services by the WSSC.

20 (c) The WSSC shall adopt:

21 (1) Eligibility criteria for businesses to qualify for the local small  
22 business enterprise program, including:

23 (i) A net worth not exceeding \$250,000 under WSSC guidelines;

24 (ii) An average net income after federal income taxes for the  
25 preceding 2 years, excluding any carryover losses, not exceeding \$100,000;

26 (iii) A principal place of business IN MONTGOMERY COUNTY OR  
27 PRINCE GEORGE'S COUNTY or A significant [employment] EMPLOYEE presence IN  
28 MONTGOMERY COUNTY OR PRINCE GEORGE'S COUNTY WITH NO LESS THAN 25% OF  
29 THE BUSINESS'S TOTAL NUMBER OF EMPLOYEES BEING DOMICILED in Montgomery  
30 County or Prince George's County; and

31 (iv) Any other eligibility criteria that the WSSC determines to be  
32 necessary or otherwise appropriate for the promotion of local small businesses in its  
33 service area; and

34 (2) Administrative procedures for conducting the program.

1 (d) A business enterprise may qualify as a local small business for purposes of  
2 the program without regard to the race, ethnicity, or gender of the participants in the  
3 business enterprise.

4 (e) The WSSC shall establish graduation criteria from the program for local  
5 small businesses that the WSSC determines no longer require the assistance or  
6 benefits offered by the program.

7 (f) The WSSC shall review the eligibility criteria and administrative  
8 procedures of the program each year to assess their effectiveness in furthering the  
9 purposes of the program.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 2005.