
By: **Chairman, Education, Health, and Environmental Affairs Committee**
(By Request - Departmental - Minority Affairs, Office of)

Introduced and read first time: January 21, 2005

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 11, 2005

CHAPTER _____

1 AN ACT concerning

2 **State Finance and Procurement - Procurement Advisory Council -**
 3 **Membership**

4 FOR the purpose of altering the membership of the Procurement Advisory Council by
 5 adding the Special Secretary for the Office of Minority Affairs; and generally
 6 relating to the Procurement Advisory Council.

7 BY repealing and reenacting, with amendments,
 8 Article - State Finance and Procurement
 9 Section 12-105
 10 Annotated Code of Maryland
 11 (2001 Replacement Volume and 2004 Supplement)

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

14 **Article - State Finance and Procurement**

15 12-105.

16 (a) In this section, "Council" means the Procurement Advisory Council.

17 (b) There is a Procurement Advisory Council.

18 (c) (1) The Council consists of the following [nine] TEN members:

- 1 (i) the State Treasurer;
- 2 (ii) the Chancellor of the University System of Maryland;
- 3 (iii) the Secretary of Budget and Management;
- 4 (iv) the Secretary of General Services;
- 5 (v) the Secretary of Transportation;
- 6 (vi) the Secretary of the Board;
- 7 (VII) THE SPECIAL SECRETARY FOR THE OFFICE OF MINORITY
- 8 AFFAIRS;

9 [(vii)] (VIII) a representative of local government who has
10 expertise in local procurement matters, appointed by the Governor with the advice
11 and consent of the Senate; and

12 [(viii)] (IX) two members of the general public, at least one of whom
13 has expertise in State procurement matters, appointed by the Governor with the
14 advice and consent of the Senate.

15 (2) (i) If the State Treasurer is unable to attend a meeting of the
16 Procurement Advisory Council, the Treasurer may designate the Deputy Treasurer to
17 attend the meeting.

18 (ii) If a member of the Council listed in paragraph (1) (ii) through
19 (v) of this subsection is unable to attend a meeting of the Procurement Advisory
20 Council, the member may designate the Chief Procurement Officer of the agency to
21 attend the meeting.

22 (d) The Secretary of the Board is Chairman of the Council.

23 (e) The Council shall meet at least quarterly each year.

24 (f) The Procurement Advisor is the principal staff of the Council and the
25 Council shall have any additional staff that the Board authorizes in accordance with
26 the State budget.

27 (g) The Council shall:

28 (1) ensure that the State's procurement system is utilizing the most
29 advanced procurement methods and management techniques;

30 (2) effect and enhance communication between State units on
31 procurement matters, with an emphasis on disseminating information on current
32 developments and advances in procurement methods and management;

33 (3) provide a forum for the discussion of specific procurement issues and
34 problems that arise;

1 (4) advise the Board on problems in the procurement process and make
2 recommendations for improvement of the process; and

3 (5) review existing procurement regulations to:

4 (i) determine whether they fulfill the intent and purpose of the
5 law, especially as it relates to fostering broad-based competition; and

6 (ii) make recommendations on the regulations, if revising and
7 restructuring them will result in easier understanding and use.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
9 effect October 1, 2005.