

# HOUSE BILL 31

P2

EMERGENCY BILL

8lr4592

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By: **Delegate Morhaim**

Introduced and read first time: October 29, 2007

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Government Efficiency and Streamlining Operations**

3 FOR the purpose of requiring certain persons to use eMaryland Marketplace to  
4 advertise for and conduct certain procurements, and to publish notice of an  
5 award of a certain contract; requiring the Department of General Services and  
6 the Department of Budget and Management to study and report to the General  
7 Assembly on certain matters on or before certain dates; defining certain terms;  
8 making this Act an emergency measure; and generally relating to the use of  
9 eMaryland Marketplace and the study of efficiency in procurement.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 17–501 and 17–502 to be under the new subtitle “Subtitle 5. eMaryland  
13 Marketplace – Use by Certain Persons”

14 Annotated Code of Maryland

15 (2006 Replacement Volume and 2007 Supplement)

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

18 **Article – State Finance and Procurement**

19 **SUBTITLE 5. EMARYLAND MARKETPLACE – USE BY CERTAIN PERSONS.**

20 **17–501.**

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
22 INDICATED.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) "EMARYLAND MARKETPLACE" HAS THE MEANING STATED IN §  
2 13-101 OF THIS ARTICLE.

3 (C) "PROCUREMENT" MEANS PROCUREMENT BY COMPETITIVE SEALED  
4 BIDDING, COMPETITIVE SEALED PROPOSALS, OR NONCOMPETITIVE  
5 NEGOTIATION.

6 17-502.

7 IN ADDITION TO ANY OTHER PROVISION OF LAW, THE FOLLOWING  
8 PERSONS SHALL USE EMARYLAND MARKETPLACE TO PUBLISH NOTICE OF A  
9 PROCUREMENT, CONDUCT A PROCUREMENT, OR PUBLISH A NOTICE OF AWARD:

10 (1) A UNIT OF STATE GOVERNMENT;

11 (2) A COUNTY;

12 (3) A MUNICIPALITY;

13 (4) A BICOUNTY OR MULTICOUNTY GOVERNMENTAL AGENCY;

14 (5) A SPECIAL TAX DISTRICT, SANITARY DISTRICT, DRAINAGE  
15 DISTRICT, SOIL CONSERVATION DISTRICT, AND WATER SUPPLY DISTRICT; AND

16 (6) ANY OTHER ENTITY THAT RECEIVES STATE FUNDING.

17 SECTION 2. AND BE IT FURTHER ENACTED, That:

18 (a) The Department of General Services and the Department of Budget and  
19 Management shall study:

20 (1) ways to consolidate and streamline procurement by the State and  
21 local governments in Maryland; and

22 (2) the use of public-private partnerships in procurement as a way to  
23 lower costs for both private industry and the State.

24 (b) On or before January 9, 2008, the Department of General Services and  
25 the Department of Budget and Management shall jointly issue a preliminary report of  
26 the results of the study conducted under this section to the General Assembly, in  
27 accordance with § 2-1246 of the State Government Article.

28 (c) On or before December 31, 2008, the Department of General Services and  
29 the Department of Budget and Management shall jointly issue a final report of the

1 results of the study conducted under this section to the General Assembly, in  
2 accordance with § 2–1246 of the State Government Article.

3 SECTION 3. AND BE IT FURTHER ENACTED, That:

4 (a) The Department of General Services shall collect data from all units of  
5 State government on the issue of property management by the units and shall study  
6 the benefits and disadvantages of the procurement of property management functions  
7 by each unit and the Department as opposed to the management of State real property  
8 by each unit.

9 (b) On or before January 9, 2008, the Department of General Services shall  
10 issue a preliminary report of the findings of the study conducted under this section to  
11 the General Assembly, in accordance with § 2–1246 of the State Government Article.

12 (c) On or before December 31, 2008, the Department of General Services  
13 shall issue a final report of the findings of the study conducted under this section to  
14 the General Assembly, in accordance with § 2–1246 of the State Government Article.

15 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency  
16 measure, is necessary for the immediate preservation of the public health or safety,  
17 has been passed by a yea and nay vote supported by three–fifths of all the members  
18 elected to each of the two Houses of the General Assembly, and shall take effect from  
19 the date it is enacted.