

HOUSE BILL 638

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By: **Prince George's County Delegation and Montgomery County Delegation**
Introduced and read first time: February 3, 2010
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Procurement and Minority**
3 **Business Enterprises – WSSC Procurement Oversight Committee**

4 **PG/MC 109–10**

5 FOR the purpose of establishing a WSSC Procurement Oversight Committee;
6 providing for the membership, terms, and duties of the Committee; requiring
7 the Washington Suburban Sanitary Commission to submit, on or before a
8 certain date, a written report to the Committee demonstrating compliance with
9 a certain minority business enterprise law; stating the findings of the General
10 Assembly; requiring the Committee to report to certain delegations to the
11 General Assembly on or before a certain date; and generally relating to the
12 procurement activities and minority business enterprise participation of the
13 Washington Suburban Sanitary Commission and the WSSC Procurement
14 Oversight Committee.

15 BY adding to

16 Article 29 – Washington Suburban Sanitary District
17 Section 3–111
18 Annotated Code of Maryland
19 (2003 Replacement Volume and 2009 Supplement)

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

22 **Article 29 – Washington Suburban Sanitary District**

23 **3–111.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) THE GENERAL ASSEMBLY FINDS THAT THE COMMISSION IS NOT IN**
2 **COMPLIANCE WITH THE MINORITY BUSINESS ENTERPRISE REQUIREMENTS OF §**
3 **3-109 OF THIS SUBTITLE.**

4 **(B) (1) THERE IS A WSSC PROCUREMENT OVERSIGHT COMMITTEE.**

5 **(2) (I) THE COMMITTEE CONSISTS OF THE FOLLOWING**
6 **MEMBERS:**

7 1. **ONE MEMBER APPOINTED BY THE PRESIDENT OF**
8 **THE SENATE;**

9 2. **ONE MEMBER APPOINTED BY THE SPEAKER OF**
10 **THE HOUSE OF DELEGATES;**

11 3. **ONE MEMBER APPOINTED BY THE COUNTY**
12 **EXECUTIVE OF MONTGOMERY COUNTY; AND**

13 4. **ONE MEMBER APPOINTED BY THE COUNTY**
14 **EXECUTIVE OF PRINCE GEORGE'S COUNTY.**

15 **(II) EACH MEMBER SHALL:**

16 1. **BE A RESIDENT OF THE SANITARY DISTRICT; AND**

17 2. **HAVE EXPERIENCE WITH PROCUREMENT**
18 **ACTIVITIES OR MINORITY BUSINESS ENTERPRISES.**

19 **(III) THE MEMBERS SHALL BE APPOINTED ON OR BEFORE**
20 **OCTOBER 1, 2010.**

21 **(IV) THE MEMBERS SHALL SERVE FOR A TERM OF 4 YEARS**
22 **AND MAY BE REAPPOINTED IF THE COMMITTEE ASSUMES AUTHORITY OVER**
23 **PROCUREMENT ACTIVITIES OF THE COMMISSION UNDER SUBSECTION (C)(2) OF**
24 **THIS SECTION.**

25 **(C) (1) THE COMMITTEE SHALL REVIEW ANY PROCUREMENT MADE**
26 **BY THE COMMISSION FOR COMPLIANCE WITH § 3-109 OF THIS SUBTITLE.**

27 **(2) NOTWITHSTANDING ANY OTHER LAW, IF THE COMMITTEE**
28 **DETERMINES THAT THE COMMISSION HAS NOT ACHIEVED COMPLIANCE WITH §**
29 **3-109 OF THIS SUBTITLE AS DEMONSTRATED BY THE REPORT REQUIRED BY**
30 **SUBSECTION (D) OF THIS SECTION, THE COMMITTEE SHALL HAVE SOLE**
31 **AUTHORITY OVER ANY PROCUREMENT ACTIVITIES OF THE COMMISSION.**

1 **(D) ON OR BEFORE DECEMBER 1, 2010, THE COMMISSION SHALL**
2 **SUBMIT A WRITTEN REPORT TO THE COMMITTEE DEMONSTRATING ITS**
3 **COMPLIANCE WITH § 3-109 OF THIS SUBTITLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,
5 2012, the WSSC Procurement Oversight Committee shall report to the Montgomery
6 County and Prince George's County Senate and House delegations to the Maryland
7 General Assembly, in accordance with § 2-1246 of the State Government Article, on
8 the status of minority business enterprise participation in procurements for the
9 Washington Suburban Sanitary Commission.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 June 1, 2010.