

**SB 133**

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

## FISCAL AND POLICY NOTE

Senate Bill 133 (Senator Pugh, *et al.*)  
Education, Health, and Environmental Affairs

## **Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process**

This bill establishes a Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process. The Board of Public Works and the Office of the Attorney General provide staff for the commission. Commission members do not receive compensation but are entitled to reimbursement for their expenses. The commission must report its findings and recommendations to the Governor and General Assembly by December 31, 2010.

The bill takes effect June 1, 2010, and terminates May 31, 2011.

## Fiscal Summary

**State Effect:** Given the State's fiscal difficulties, agency budgets have been constrained. Thus, the requirement to staff the commission and develop the report may not be absorbable within the existing budgeted resources of the Board of Public Works and the Office of the Attorney General. Instead, general fund expenditures may increase minimally in FY 2011 for contractual staff to support the commission and complete the required report as well as for expense reimbursements for commission members.

**Local Effect:** None.

### **Small Business Effect:** None.

## Analysis

**Current Law/Background:** Chapter 386 of 2003 established a similar task force that issued its final report in December 2003. The task force organized itself into four subcommittees that met a total of 26 times to review testimony from public and private-sector sources. The full task force met six times.

In its final report, the task force issued 31 recommendations, several of which were subsequently enacted through legislation. Among the statutory changes that emerged from the task force's recommendations are:

- Chapter 662 of 2008 raised the cap on the value of contracts that State agencies may enter into as a result of unsolicited proposals from \$1.0 million to \$2.0 million (Recommendation 5 advocated for the elimination of the \$1.0 million cap);
- Chapter 459 of 2005 defined the characteristics of high-performance buildings and gave State agencies the flexibility to propose that new State buildings be constructed as high-performance buildings (Recommendation 16); and
- Chapter 373 of 2004 strengthened the jurisdiction of the Maryland State Board of Contract Appeals (Recommendation 27).

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## Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Office of the Attorney General, Board of Public Works, Department of Legislative Services

**Fiscal Note History:** First Reader - January 29, 2010  
mam/rhh

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