

**HB0456/463927/1**

BY: Senator Muse

AMENDMENTS TO HOUSE BILL 456  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Participation” insert “and Oversight”; and in line 3, after “of” insert “establishing a WSSC Procurement Oversight Committee; providing for the membership, terms, and duties of the Committee; requiring the Washington Suburban Sanitary Commission to submit, on or before a certain date, a written report to the Committee demonstrating compliance with a certain minority business enterprise law; stating the findings of the General Assembly; requiring the Committee to report to certain delegations to the General Assembly on or before a certain date;”.

On page 2, in line 13, strike “in State procurement” and substitute “and oversight”; and after line 13, insert:

“BY adding to

Article – Public Utilities  
Section 20–207.1  
Annotated Code of Maryland  
(2010 Replacement Volume)”.

AMENDMENT NO. 2

On page 4, after line 2, insert:

“Article – Public Utilities

**20–207.1.**

(Over)

(A) THE GENERAL ASSEMBLY FINDS THAT THE COMMISSION IS NOT IN COMPLIANCE WITH THE MINORITY BUSINESS ENTERPRISE REQUIREMENTS OF THIS SUBTITLE.

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

(2) (I) THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

1. ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

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

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

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

(II) EACH MEMBER SHALL:

1. BE A RESIDENT OF THE SANITARY DISTRICT; AND

2. HAVE EXPERIENCE WITH PROCUREMENT ACTIVITIES OR MINORITY BUSINESS ENTERPRISES.

(III) THE MEMBERS SHALL BE APPOINTED ON OR BEFORE OCTOBER 1, 2011.

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

(C) (1) THE COMMITTEE SHALL REVIEW ANY PROCUREMENT MADE BY THE COMMISSION FOR COMPLIANCE WITH THIS SUBTITLE.

(2) NOTWITHSTANDING ANY OTHER LAW, IF THE COMMITTEE DETERMINES THAT THE COMMISSION HAS NOT ACHIEVED COMPLIANCE WITH THIS SUBTITLE AS DEMONSTRATED BY THE REPORT REQUIRED BY SUBSECTION (D) OF THIS SECTION, THE COMMITTEE SHALL HAVE SOLE AUTHORITY OVER ANY PROCUREMENT ACTIVITIES OF THE COMMISSION.

(D) ON OR BEFORE DECEMBER 1, 2011, THE COMMISSION SHALL SUBMIT A WRITTEN REPORT TO THE COMMITTEE DEMONSTRATING ITS COMPLIANCE WITH THIS SUBTITLE.”.

AMENDMENT NO. 3

On page 12, after line 19, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before January 1, 2013, the WSSC Procurement Oversight Committee shall report to the Montgomery County and Prince George’s County Senate and House delegations to the Maryland General Assembly, in accordance with § 2–1246 of the State Government Article, on the status of minority business enterprise participation in procurements for the Washington Suburban Sanitary Commission.”;

(Over)

and in lines 20 and 26, strike "3." and "4.", respectively, and substitute "4." and "5.", respectively.