

House Bill 649  
First Reading File Bill  
3/3/2020

Amendment No. 1

On page 2, line 9 through line 19:

(a) A unit of State government shall purchase from Maryland Correctional Enterprises any [goods] **SUPPLIES** or services that are available from Maryland Correctional Enterprises and that Maryland Correctional Enterprises can provide at a price not exceeding the prevailing average market price as determined by the [Department of General Services] **MARYLAND CORRECTIONAL ENTERPRISES} PRICING AND SELECTION COMMITTEE FOR ~~BLIND INDUSTRIES AND SERVICES OF MARYLAND, THE EMPLOYMENT WORKS PROGRAM AND MARYLAND CORRECTIONAL ENTERPRISES~~** The Pricing and Selection Committee for Preference Programs.

**(B) THE PRICING AND SELECTION COMMITTEE FOR ~~BLIND INDUSTRIES AND SERVICES OF MARYLAND, THE EMPLOYMENT WORKS PROGRAM AND MARYLAND CORRECTIONAL ENTERPRISES}~~ Preference Programs. SHALL REVIEW AND VERIFY THE AVERAGE PREVAILING MARKET PRICES, AS ~~(DETERMINED)~~ Proposed BY MARYLAND CORRECTIONAL ENTERPRISES:**

- (1) When changes are made to the pricing of existing supplies or services that are available from Maryland Correctional Enterprises; and
- (2) Of new supplies or services that Maryland Correctional Enterprises intends to make available.[(b)]

Amendment No. 2

On page 11, line 17 through page 13, line 22:

(a) In this section, "Committee" means the Pricing and Selection Committee for ~~Blind Industries and Services of Maryland and the Employment Works Program, AND MARYLAND CORRECTIONAL ENTERPRISES~~ Preference Programs.

(b) There is a Pricing and Selection Committee for ~~Blind Industries and Services of Maryland and the Employment Works Program, AND MARYLAND CORRECTIONAL ENTERPRISES~~ Preference Programs.

(c) The Committee consists of the following ~~5~~ 6 members:

- (1) the Secretary of Transportation or a designee;
- (2) the Secretary of General Services or a designee;
- (3) the Secretary of Public Safety and Correctional Services or a designee;
- (4) the Assistant Secretary for Vocational Rehabilitation within the State Department of Education or a designee; [and]
- (5) the Secretary of Labor or a designee; and[.]

(6) The Chief Executive Officer of Maryland Correctional Enterprises or a designee.

(d) A member of the Committee:

(1) may not receive compensation; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations as provided in the State budget.

(e) (1) Blind Industries and Services of Maryland shall provide staff for the Committee.

(2) The staff provided in accordance with paragraph (1) of this subsection shall:

(i) be a blind or a visually impaired associate of Blind Industries and Services of Maryland; and

(ii) complete work related to the duties of the Committee regarding Blind Industries and Services of Maryland under the supervision and direction of the Committee.

(f) The Committee shall:

(1) ensure that supplies and services provided by Blind Industries and Services of Maryland or a community service provider create work opportunities for individuals who have a mental or physical disability, including blindness, for which Blind Industries and Services of Maryland or the community service provider was established to assist;

(2) set the prices of supplies and services that Blind Industries and Services of Maryland provides to reflect the fair market prices for the supplies and services;

**(3) REVIEW AND VERIFY THE PREVAILING AVERAGE MARKET PRICES, AS PROPOSED BY MARYLAND CORRECTIONAL ENTERPRISES, OF NEW AND EXISTING SUPPLIES AND SERVICES THAT ARE AVAILABLE FROM MARYLAND CORRECTIONAL ENTERPRISES;**

[(3)] (4) establish procedures to govern procurement of supplies and services from community service providers and individual with disability owned businesses;

[(4)] (5) from the State procurement list, choose appropriate supplies and services for community service providers and individual with disability owned businesses to offer for procurement;

[(5)] (6) provide that the State procure those supplies and services from a community service provider or an individual with disability owned business;

[(6)] (7) if supplies or services are not available for procurement from a unit of the State government, determine whether supplies or services are available from a community service provider or an individual with disability owned business;

[(7)] (8) determine the fair market price of supplies and services that community service providers and individual with disability owned businesses provide;

[(8)] (9) in accordance with market conditions, adjust prices for the supplies and

services that community service providers and individual with disability owned businesses provide; and

[(9)] (10) at the request of a community service provider or an individual with disability owned business, review and, if appropriate, change the price of a supply or service.

(g) In addition to the duties specified under subsection (f) of this section, the Committee shall:

(1) establish and periodically review eligibility policies or guidelines for participating community service providers and individual with disability owned businesses;

(2) maintain a current list of community service providers and individual with disability owned businesses;

(3) periodically review and revise its list of community service providers and individual with disability owned businesses; and

(4) send any revised list to the [Secretary of General Services] Chief Procurement Officer who shall make the list available to each person responsible for buying supplies or services for the State or a State aided or controlled entity.

#### Amendment No. 3

On page 13, line 24 through page 14, line 2:

The Pricing and Selection Committee for ~~Blind Industries and Services of Maryland and the Employment Works Program, AND MARYLAND CORRECTIONAL ENTERPRISES~~ Preference Programs shall:

(1) (i) maintain a current list of supplies and services that Blind Industries and Services of Maryland provides; [and]

(ii) maintain a current list of supplies and services that community service providers and individual with disability owned businesses provide; **AND**

(iii) Maintain a current list of supplies and services that Maryland Correctional Enterprises provides;

(2) periodically review and revise the lists of supplies and services maintained in accordance with item (1) of this section; and

(3) send the lists, and any revised lists, to the [Secretary of General Services] Chief Procurement Officer who shall make the lists available to each person responsible for buying supplies or services for the State or a State aided or controlled entity.

#### Amendment No. 4

On page 9, line 24 delete: “[“ before “and post” and “]” after “and post”.