

**HB1230/623425/1**

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 1230  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “authorizing” and substitute “requiring”; in line 7, strike “include local or small businesses or certain other businesses” and substitute “be the business participation program and limiting participation in the program to certain businesses; requiring the Commission to adopt certain additional eligibility criteria for participation in the program”; in line 8, strike “person” and substitute “business”; in line 10, after “manner;” insert “authorizing the Commission to adopt certain regulations to promote workforce engagement and local economic benefits;”; and in line 19, strike “Vendor Registration” and substitute “Workforce and Local Economic Benefits”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 8 down through “**ESTABLISHED**” in line 13 and substitute “ADMINISTERING PROGRAMS ESTABLISHED UNDER THIS SUBTITLE AND SUBTITLE 3 OF THIS TITLE”; in line 14, after “(b)” insert “THE COMMISSION SHALL ADOPT REGULATIONS ESTABLISHING THE NAME OF THE OFFICE.”

(c);

strike beginning with “(c)” in line 16 down through “**SECTION.**” in line 17; strike beginning with the first “**OR**” in line 21 down through “**OF**” in line 22 and substitute “SMALL BUSINESSES THAT DO BUSINESS WITH”; and in line 25, strike “enterprise” and substitute “PARTICIPATION”.

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On page 3, in line 3, strike the brackets; strike beginning with the semicolon in line 5 down through “SUBCONTRACTS” in line 8; strike in their entirety lines 10 and 11 and substitute:

**“(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**“(B) “DISABLED VETERAN-OWNED BUSINESS” MEANS A BUSINESS THAT IS AT LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE INDIVIDUALS CERTIFIED BY THE U.S. DEPARTMENT OF VETERANS AFFAIRS AS HAVING A SERVICE-CONNECTED DISABILITY REGARDLESS OF THE DISABILITY RATING.**

**“(C) “LOCAL BUSINESS” MEANS A BUSINESS WITH:**

**“(1) A PRINCIPAL PLACE OF BUSINESS IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY; OR**

**“(2) AT LEAST 25% OF THE EMPLOYEES OF THE BUSINESS DOMICILED IN MONTGOMERY COUNTY OR PRINCE GEORGE’S COUNTY.**

**“(D) “LOCAL SMALL BUSINESS” MEANS A BUSINESS THAT QUALIFIES AS BOTH:**

**“(1) A LOCAL BUSINESS; AND**

**“(2) A SMALL BUSINESS.**

**“(E) “MARYLAND-BASED BUSINESS” MEANS A BUSINESS THAT HAS ITS PRINCIPAL PLACE OF BUSINESS IN THE STATE.**

**(F) “PROGRAM” MEANS THE BUSINESS PARTICIPATION PROGRAM ESTABLISHED UNDER § 20–302 OF THIS SUBTITLE.**

**(G) “SMALL BUSINESS” MEANS A BUSINESS THAT MEETS CRITERIA ESTABLISHED BY REGULATIONS ADOPTED IN ACCORDANCE WITH § 14–203 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

**(H) “VETERAN–OWNED BUSINESS” MEANS A BUSINESS THAT IS AT LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE INDIVIDUALS WHO ARE VETERANS AS DEFINED IN 38 U.S.C. § 101.”;**

strike beginning with “local” in line 13 down through “program” in line 14 and substitute **“BUSINESS PARTICIPATION PROGRAM IN ACCORDANCE WITH THIS SUBTITLE”**; in line 15, strike “under” and substitute **“IN ACCORDANCE WITH”**; strike beginning with the first bracket in line 18 down through **“OBJECTIVES”** in line 21 and substitute **“BUSINESSES ELIGIBLE TO PARTICIPATE IN THE PROGRAM”**; and strike beginning with the first bracket in line 24 down through **“OBJECTIVES”** in line 29 and substitute **“ELIGIBLE BUSINESSES”**.

On page 4, strike beginning with “The” in line 1 down through **“OBJECTIVES”** in line 14 and substitute:

**“THE FOLLOWING BUSINESSES ARE ELIGIBLE TO PARTICIPATE IN THE PROGRAM:**

- (1) A LOCAL BUSINESS;**
- (2) A SMALL BUSINESS;**
- (3) A LOCAL SMALL BUSINESS;**

(Over)

**(4) A MARYLAND-BASED BUSINESS;**

**(5) A DISABLED VETERAN-OWNED BUSINESS THAT IS:**

**(I) A LOCAL BUSINESS;**

**(II) A SMALL BUSINESS;**

**(III) A LOCAL SMALL BUSINESS; OR**

**(IV) A MARYLAND-BASED BUSINESS; AND**

**(6) A VETERAN-OWNED BUSINESS THAT IS:**

**(I) A LOCAL BUSINESS;**

**(II) A SMALL BUSINESS;**

**(III) A LOCAL SMALL BUSINESS; OR**

**(IV) A MARYLAND-BASED BUSINESS.**

**(B) THE COMMISSION SHALL ADOPT:**

**(1) ANY OTHER ELIGIBILITY CRITERIA THE COMMISSION DETERMINES TO BE NECESSARY OR APPROPRIATE FOR THE PROMOTION OF THE BUSINESSES SPECIFIED UNDER SUBSECTION (A) OF THIS SECTION”;**

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in lines 17, 19, and 22, strike “(b)”, “(c)”, and “(d)”, respectively, and substitute “**(C)**”, “**(D)**”, and “**(E)**”, respectively; in line 17, strike “A” and substitute “**AN ELIGIBLE**”; in the same line, strike “as a local **OR** small business enterprise under” and substitute “**TO PARTICIPATE IN**”; in line 20, strike “a” and substitute “**AN ELIGIBLE**”; and after line 24, insert:

**“(F) THE COMMISSION MAY ACCEPT AS A REGISTERED VENDOR ELIGIBLE TO PARTICIPATE IN THE PROGRAM ANY BUSINESS THAT:**

**(1) IS A REGISTERED VENDOR THROUGH A VENDOR REGISTRATION PROCESS IN ANOTHER JURISDICTION; OR**

**(2) SELF-CERTIFIES AS A VENDOR IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE COMMISSION.**

**(G) NOTHING IN THIS SECTION MAY BE CONSTRUED TO REQUIRE A SOLICITATION ISSUED BY THE COMMISSION TO INCLUDE EVERY CATEGORY OF ELIGIBLE BUSINESS.”**

On pages 4 and 5, strike in their entirety the lines beginning with line 25 on page 4 through line 4 on page 5, inclusive, and substitute:

**“SUBTITLE 4. WORKFORCE AND LOCAL ECONOMIC BENEFITS.**

**20-401.**

**THE COMMISSION MAY ADOPT REGULATIONS TO PROMOTE IN THE COMMISSION’S CONTRACTS WORKFORCE ENGAGEMENT AND LOCAL ECONOMIC BENEFITS WITHIN THE COMMISSION’S SERVICE DISTRICT, INCLUDING**

(Over)

ESTABLISHING DEFINITIONS AND STANDARDS FOR CONTRACTOR GOOD FAITH EFFORTS REGARDING:

(1) LOCAL HIRING AND RECRUITMENT;

(2) SKILLS TRAINING, PRE-APPRENTICESHIP, AND APPRENTICESHIP PARTICIPATION OR SUPPORT; AND

(3) DATA REPORTING ON WORKFORCE RESIDENCY OR LOCAL ECONOMIC ACTIVITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be interpreted to amend, expand, limit, or otherwise affect the Minority Business Enterprise Program of the Washington Suburban Sanitary Commission.”.

On page 5, in line 5, strike “2.” and substitute “3.”.