

(9) Provide for the WSSC to refuse to recognize the certification of any business found to be in violation of the purposes of the program and to permanently bar any active principals of a violating business from future participation in the program; and

(10) Permit the waiver of all or part of the provisions of the program for a specific contract if the WSSC determines that the application of the program to the contract conflicts with the WSSC's overall objectives and responsibilities, and provide for the WSSC to report annually to the Montgomery County and Prince George's County House and Senate Delegations on those waivers.

(d) Before accepting a certification program under subsection (c)(2) of this section, the WSSC shall examine the program to ensure that:

(1) It adheres to the guidelines set forth in § 3-102(f)(4) of this article; and

(2) The principal owner of an eligible minority business enterprise is in not more than 1 certified business that is participating in the WSSC minority business enterprise program under this section.

(e) (1) The WSSC may conduct any fact-finding study in connection with a minority business enterprise program for consistency with applicable law.

(2) The WSSC shall report the findings of any review completed under this paragraph to the Montgomery County and Prince George's County Delegations to the General Assembly.

(f) By September 15 of each year, the WSSC shall issue a report concerning the implementation and administration of the minority business enterprise program [through June 30 of each year,] FOR THE FISCAL YEAR ENDING ON THE PRECEDING JUNE 30, and appropriate recommendations concerning the program, to the Montgomery County and Prince George's County Senate and House Delegations to the Maryland General Assembly.

(g) The provisions of this section shall be void and may not be enforced after July 1, [2002] 2005.

SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2002.

Approved May 6, 2002.