eradicated the impact of past discrimination or precluded ongoing discrimination against such businesses; and

WHEREAS, Continuation of a narrowly tailored program, meeting the requirements of Croson, is essential to the ultimate achievement of a marketplace in which minority firms will not be subject to discrimination and, without aid of such a program, will obtain a fair share of private and public contract expenditures; and

WHEREAS, Race and sex neutral means of assisting minority firms exist and have been attempted, but do not effectively eradicate the effects of past discrimination or preclude ongoing discrimination against minority business, and have no substantial likelihood of achieving the goal that these businesses will obtain a fair share of State public contract expenditures in the absence of a minority business program; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Finance and Procurement

14-301.

(a)   In this subtitle the following words have the meanings indicated.

(b)   "Certification" means the determination that a legal entity is a minority business enterprise for the purposes of this subtitle [through a procedure that:

(1)   the Department of Transportation uses; or

(2)   the State Minority Business Certification Council recommends].

(c)   "CERTIFICATION AGENCY" MEANS THE AGENCY DESIGNATED BY THE BOARD OF PUBLIC WORKS UNDER § 14-303(B) OF THIS SUBTITLE TO CERTIFY AND DECERTIFY ~~MNINORITY~~ MINORITY BUSINESS ENTERPRISES.

(D)   "Certified minority business enterprise" means a minority business enterprise that holds a certification.

[(d)] (E)   "Designated unit" means:

(1)   the Department of General Services;

(2)   the Department of Transportation;

(3)   the Interagency Committee on School Construction;

(4)   the Maryland Food Center Authority;

(5)   the Maryland Stadium Authority;

(6)   the University of Maryland System; and

(7)   for a procurement under Title 3, Subtitle 4 of this article, the