

(1971 Replacement Volume and 1977 Supplement)

Preamble

Whereas, The General Assembly is concerned that minority businesses may have experienced the effect of past discrimination in the awarding or letting of contracts or subcontracts for the purchase of materials, supplies, equipment and services, including construction services, for the benefit of the State; and

Whereas, Such discrimination, although contrary to State policy, may have been based solely on the minority status of such businesses, and not on their competency; and

Whereas, The economic development and expansion of minority enterprises may have been impeded thereby; and

Whereas, The General Assembly deems it necessary that certain departments shall structure their contract procedures so as to facilitate and encourage the award or letting of at least 10% of their contracts and the subcontracts which flow therefrom to competent minority businesses; provided however, that nothing contained herein shall be construed as intending to confer or as conferring upon any minority business or any group or individual representing a minority business, any right, privilege or status cognizable by a court, including, but not limited to, standing to challenge the award of any contract by or on behalf of the State, its officials, employees or agents, even where less than 10% of a department's contracts are awarded to minority businesses, it being the intention of the General Assembly that this Act constitute a policy direction to the Executive which is enforceable merely through the oversight function of the General Assembly and not through the judicial branch; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 41 - Governor-Executive and
Administrative Departments

14F.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(1) "DEPARTMENT" MEANS THE STATE DEPARTMENTS OF AGRICULTURE, ASSESSMENTS AND TAXATION, BUDGET AND FISCAL PLANNING, ECONOMIC AND COMMUNITY DEVELOPMENT, EDUCATION, GENERAL SERVICES, HEALTH AND MENTAL HYGIENE, HUMAN RESOURCES, LICENSING AND REGULATION, NATURAL RESOURCES, PERSONNEL, PUBLIC SAFETY AND CORRECTIONAL SERVICES, AND TRANSPORTATION. EDUCATION, GENERAL SERVICES, AND TRANSPORTATION, THE UNIVERSITY OF MARYLAND, AND THE