

Finance--and--Procurement--Article,--the--Department--of--Budget--and--Fiscal--Planning.

(3)--"Minority-business-enterprise"--means--any--legal entity,--other--than--a--joint--venture,--organized--to--engage--in commercial--transactions--which--is--at--least--51--percent--owned--and controlled--by--one--or--more--minority--persons,--or--a--nonprofit entity--organized--to--promote--the--interests--of--the--physically--or mentally--disabled.

(4)--"Minority-person"--means--a--member--of--a--socially--or economically--disadvantaged--minority--group,--which--for--purposes--of this--subtitle--includes--blacks--(not--of--Hispanic--origin),--Hispanics,--American--Indians,--Alaska--natives,--Asians,--Pacific Islanders,--women,--and--the--physically--or--mentally--disabled.

(5)--"Certification"--means--the--determination,--through a--procedure--used--by--the--Department--of--Transportation--or recommended--by--the--State--Minority--Business--Certification--Council,--that--a--legal--entity--is--a--minority--business--enterprise--for purposes--of--this--subtitle.

(6)--"Person"--means--an--individual,--association,--sole proprietorship,--partnership,--or--corporation.

(b)-(1)--Each--department,--except--the--Department--of Transportation--as--to--construction--contracts,--shall--structure--its procedures--for--procuring--supplies,--services,--and--construction--to attempt--to--achieve,--consistent--with--the--purposes--of--this subtitle,--the--result--that--a--minimum--of--10--percent--of--the--total dollar--value--of--such--procurements--are--made--directly--or--indirectly from--certified--minority--business--enterprises.

(2)--The--Department--of--Transportation--shall--structure its--procedures--for--procuring--construction--to--attempt--to--achieve, consistent--with--the--purposes--of--this--subtitle,--participation--by certified--minority--business--enterprises,--in--the--amount--of--at least--10--percent--of--the--dollar--value--of--contracts--in--excess--of \$100,000--on--the--prime--or--subcontract--level.--In--so--doing,--the Department--of--Transportation--shall--take--into--consideration--the practical--severability--of--the--construction--projects.

(3)--Each--procurement--agency--shall--structure--its procedures--for--procuring--supplies,--services,--and--construction--to encourage--participation--in--the--process--by--certified--minority business--enterprises--and--to--attempt--to--provide--to--certified minority--business--enterprises--a--fair--share--of--State--contracts.

(4)--The--Board--of--Public--Works--shall--adopt regulations,--consistent--with--the--purposes--of--this--Division--II--of this--article,--to--govern--each--department--or--other--procurement agency.--The--regulations--shall--prescribe--procedures--to--be followed--by--the--department--or--agency--and--by--prospective