

BY repealing and reenacting, with amendments,
Article - State Finance and Procurement
Section 14-301, 14-302, 14-303, 14-305, and 14-309
Annotated Code of Maryland
(1995 Replacement Volume and 2000 Supplement)

BY repealing and reenacting, without amendments,
Article - State Finance and Procurement
Section 14-304, 14-307, and 14-308.
Annotated Code of Maryland
(1995 Replacement Volume and 2000 Supplement)

BY repealing and reenacting, with amendments,
Chapter 116 of the Acts of the General Assembly of 1995, as amended by
Chapters 495 and 496 of the Acts of the General Assembly of 2000
Section 2

Preamble

WHEREAS, In January 1989, the Supreme Court of the United States, in *City of Richmond v. J. A. Croson Co.*, 488 U.S. 469 (1989) held that state and local minority business programs should be narrowly tailored to remedy the effects of past discrimination;

WHEREAS, In compliance with the requirements of Chapters 495 and 496 of the 2000 Session of the General Assembly, the Maryland Department of Transportation entered into a contract with National Economic Research Associates, Inc., to conduct a Minority Business Utilization Study;

WHEREAS, The report prepared by National Economic Research Associates, Inc. has come before the General Assembly of Maryland, hearings have been held, and the General Assembly has considered the report and all evidence upon which National Economic Research Associates, Inc. relied in reaching its findings and conclusions regarding the Minority Business Enterprise Program;

WHEREAS, The General Assembly finds that there is a history in Maryland of discrimination against African Americans, Hispanics, Asians, American Indians, and women;

WHEREAS, The General Assembly finds that in the State marketplace, businesses owned and controlled by African Americans, Hispanics, Asians, American Indians, and women are underutilized; and this disparity taken with other evidence demonstrates that this underutilization is the product of current, continuing discrimination against such persons in the State marketplace;

WHEREAS, The General Assembly finds that the Maryland Minority Business Enterprise Program has not eradicated the impact of past discrimination or precluded ongoing discrimination;