

~~greater minority business participation in private sector contracts;~~ making provisions of this Act severable; and generally relating to minority business participation in State procurement.

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;