

(b) The results of the fact-finding study, including statistical data, supporting documentation, and reports, shall be reported to the Prince George's County and Montgomery County Delegations to the General Assembly by December 15, 1990.

2-302.

IN THIS SUBTITLE "MINORITY" MEANS ANY GROUP THAT THE COMMISSION FINDS, AFTER APPROPRIATE STUDY, TO BE SOCIALLY OR ECONOMICALLY DISADVANTAGED AS A RESULT OF DISCRIMINATION IN THE PUBLIC OR PRIVATE SECTOR THAT HAS AFFECTED THE GROUP'S UTILIZATION AND PARTICIPATION IN CONTRACTING OR PROCUREMENT WITH THE COMMISSION.

2-303.

IF THE COMMISSION DETERMINES THAT A PROGRAM IS NECESSARY TO REMEDY DISCRIMINATION AGAINST MINORITY BUSINESS ENTERPRISES IN CONTRACTING OR PROCUREMENT WITH THE COMMISSION, THE COMMISSION SHALL ESTABLISH A MINORITY BUSINESS UTILIZATION PROGRAM TO FACILITATE PARTICIPATION OF RESPONSIBLE CERTIFIED MINORITY BUSINESS ENTERPRISES IN CONTRACTS AWARDED BY THE COMMISSION FOR GOODS, SERVICES, AND CONSTRUCTION.

2-304.

(A) THE COMMISSION SHALL ADOPT REGULATIONS FOR THE OPERATION OF THE MINORITY BUSINESS ENTERPRISE UTILIZATION PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

(B) THE REGULATIONS SHALL INCLUDE PROVISIONS FOR:

(1) ACCEPTANCE OF THE CERTIFICATION OF MINORITY BUSINESS ENTERPRISES THAT HAVE BEEN CERTIFIED BY THE STATE CERTIFICATION AGENCY DESIGNATED UNDER § 14-303 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(2) WAIVER OF ALL OR PART OF THE PROGRAM PROVISIONS FOR A SPECIFIC CONTRACT IF THE COMMISSION DETERMINES THAT:

(I) MINORITY BUSINESS ENTERPRISES ARE UNAVAILABLE; OR

(II) THE APPLICATION OF THE PROGRAM TO THE CONTRACT CONFLICTS WITH THE COMMISSION'S OVERALL OBJECTIVES AND RESPONSIBILITIES;

(3) GRADUATION OF A MINORITY BUSINESS ENTERPRISE FROM THE PROGRAM IF THE COMMISSION DETERMINES THAT THE MINORITY BUSINESS ENTERPRISE NO LONGER REQUIRES THE ASSISTANCE OR BENEFITS OFFERED BY THE PROGRAM;