

SENATE BILL 831

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P3

2000 Regular Session
0lr2741

By: **Senators Conway, Blount, Currie, Della, Exum, Hoffman, Hughes,
Kelley, Lawlah, McFadden, Mitchell, and Sfikas**

Introduced and read first time: February 18, 2000

Assigned to: Rules

Re-referred to: Economic and Environmental Affairs, February 25, 2000

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 20, 2000

CHAPTER _____

1 AN ACT concerning

2 **Task Force to Study Minority Business Enterprise and Women's Business**
3 **Enterprise Policies and Procedures**

4 FOR the purpose of establishing a Task Force to Study Minority Business Enterprise
5 and Women's Business Enterprise Policies and Procedures; providing for the
6 membership, duties, and staffing of the Task Force; providing that the members
7 of the Task Force serve without compensation; requiring the Task Force to issue
8 a report by a certain date; providing for the effective date and the termination of
9 this Act; and generally relating to the establishment of a Task Force to Study
10 Minority Business Enterprise and Women's Business Enterprise Policies and
11 Procedures.

12 BY adding to
13 Article 41 - Governor - Executive and Administrative Departments
14 Section 18-318
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1999 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 41 - Governor - Executive and Administrative Departments**

2 18-318.

3 (A) THERE IS A TASK FORCE TO STUDY MINORITY BUSINESS ENTERPRISE AND
4 WOMEN'S BUSINESS ENTERPRISE POLICIES AND PROCEDURES.5 (B) THE TASK FORCE CONSISTS OF THE FOLLOWING ~~44~~ 12 13 MEMBERS:6 (1) TWO SENATORS APPOINTED BY THE PRESIDENT OF THE SENATE OF
7 MARYLAND;8 (2) TWO DELEGATES APPOINTED BY THE SPEAKER OF THE HOUSE OF
9 DELEGATES;10 (3) THE SECRETARY OF BUDGET AND MANAGEMENT OR THE DESIGNEE
11 OF THE SECRETARY;12 (4) THE SECRETARY OF GENERAL SERVICES OR THE DESIGNEE OF THE
13 SECRETARY;14 (5) THE SECRETARY OF TRANSPORTATION OR THE DESIGNEE OF THE
15 SECRETARY;16 (6) THE EXECUTIVE SECRETARY OF THE BOARD OF PUBLIC WORKS;17 (7) THE EXECUTIVE DIRECTOR OF THE OFFICE OF MINORITY AFFAIRS;18 (8) ONE NONPROFIT ORGANIZATION REPRESENTATIVE REPRESENTING
19 A NONPROFIT ORGANIZATION THAT PROVIDES SOCIAL SERVICES, APPOINTED BY
20 THE GOVERNOR;21 ~~(7)~~ ~~(8)~~ (9) TWO CERTIFIED MINORITY BUSINESS ENTERPRISE
22 REPRESENTATIVES REPRESENTING CERTIFIED MINORITY BUSINESS ENTERPRISES
23 THAT ARE AT LEAST 51% OWNED AND CONTROLLED BY ETHNIC MINORITIES,
24 APPOINTED BY THE GOVERNOR; AND25 ~~(8)~~ ~~(9)~~ (10) ONE CERTIFIED MINORITY BUSINESS ENTERPRISE
26 REPRESENTATIVE REPRESENTING A CERTIFIED MINORITY BUSINESS ENTERPRISE
27 THAT IS AT LEAST 51% OWNED AND CONTROLLED BY WOMEN, APPOINTED BY THE
28 GOVERNOR.

29 (C) THE GOVERNOR SHALL DESIGNATE THE CHAIRMAN OF THE TASK FORCE.

30 (D) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION
31 AND ARE ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD
32 STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.33 (E) (1) THE BOARD OF PUBLIC WORKS SHALL PROVIDE STAFF SUPPORT FOR
34 THE TASK FORCE TO THE EXTENT POSSIBLE WITHIN EXISTING BUDGETED
35 RESOURCES.

1 (2) THE BOARD OF PUBLIC WORKS MAY DESIGNATE THAT STAFF
2 SUPPORT FOR THE TASK FORCE BE PROVIDED BY THE CERTIFICATION AGENCY
3 DESIGNATED BY THE BOARD OF PUBLIC WORKS UNDER § 14-303(B) OF THE STATE
4 FINANCE AND PROCUREMENT ARTICLE TO CERTIFY AND DECERTIFY MINORITY
5 BUSINESS ENTERPRISES.

6 (F) THE TASK FORCE SHALL:

7 (1) STUDY THE POLICIES AND PROCEDURES OF THE STATE MINORITY
8 BUSINESS ENTERPRISE PROGRAM, INCLUDING THEIR EFFECT ON STATE CONTRACTS
9 WITH NONPROFIT ORGANIZATIONS FOR DELIVERY OF SOCIAL SERVICES;

10 (2) STUDY THE FEASIBILITY OF CREATING A SEPARATE MINORITY
11 BUSINESS ENTERPRISE PROGRAM AND WOMEN'S BUSINESS ENTERPRISE PROGRAM;

12 (3) STUDY CONSTITUTIONAL OR OTHER REQUIREMENTS NECESSARY
13 FOR THE STATE TO MAINTAIN A MINORITY BUSINESS ENTERPRISE PROGRAM AND
14 CREATE A WOMEN'S BUSINESS ENTERPRISE PROGRAM; AND

15 (4) RECOMMEND TO THE GOVERNOR AND THE GENERAL ASSEMBLY
16 APPROPRIATE CHANGES IN STATE LAW AND IN OTHER STATE POLICIES THAT WOULD
17 ENHANCE THE EQUITY, EFFECTIVENESS, AND EFFICIENCY OF THE STATE MINORITY
18 BUSINESS ENTERPRISE PROGRAM.

19 (G) THE TASK FORCE SHALL ISSUE A FINAL REPORT OF ITS FINDINGS AND
20 RECOMMENDATIONS TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE
21 GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1,
22 2000.

23 (H) THIS SECTION SHALL BE VOID AND OF NO EFFECT AS OF JULY 1, 2001 WITH
24 NO FURTHER ACTION REQUIRED BY THE GENERAL ASSEMBLY.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2000.