

HOUSE BILL 1506

P1

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CF SB 700

By: **Delegates Glenn, Conaway, Hayes, Haynes, Lewis, McCray, Oaks, and M. Washington**

Introduced and read first time: February 10, 2017

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Office of Minority Affairs and Interdepartmental Advisory**
3 **Committee on Minority Affairs – Renaming**

4 FOR the purpose of renaming the Governor’s Office of Minority Affairs to be the Governor’s
5 Office of Small, Minority, and Women Business Affairs; renaming the Special
6 Secretary for the Office of Minority Affairs to be the Special Secretary for the Office
7 of Small, Minority, and Women Business Affairs; renaming the Interdepartmental
8 Advisory Committee on Minority Affairs to be the Interdepartmental Advisory
9 Committee on Small, Minority, and Women Business Affairs; making conforming
10 changes; requiring the publisher of the Annotated Code of Maryland, in consultation
11 with and subject to the approval of the Department of Legislative Services, to correct
12 any cross–references or terminology rendered incorrect by this Act and to describe
13 any corrections made in an editor’s note following the section affected; and generally
14 relating to the renaming of the Office of Minority Affairs and the Interdepartmental
15 Advisory Committee on Minority Affairs.

16 BY repealing and reenacting, with amendments,
17 Article – Economic Development
18 Section 14–103(d) and (e)
19 Annotated Code of Maryland
20 (2008 Volume and 2016 Supplement)

21 BY repealing and reenacting, with amendments,
22 Article – Education
23 Section 11–1001(d) and (e)
24 Annotated Code of Maryland
25 (2014 Replacement Volume and 2016 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article – Environment

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 Section 9–345(d)(5), 9–421(d)(5), 9–1605.2(i)(4), and 9–1605.3(f)(2)(v)
2 Annotated Code of Maryland
3 (2014 Replacement Volume and 2016 Supplement)
- 4 BY repealing and reenacting, with amendments,
5 Article – Health – General
6 Section 20–1004(21)
7 Annotated Code of Maryland
8 (2015 Replacement Volume and 2016 Supplement)
- 9 BY repealing and reenacting, with amendments,
10 Article – Housing and Community Development
11 Section 4–501.1(d) and (e)
12 Annotated Code of Maryland
13 (2006 Volume and 2016 Supplement)
- 14 BY repealing and reenacting, with amendments,
15 Article – Insurance
16 Section 20–303(c)(3) and (4) and 24–310(d) and (e)
17 Annotated Code of Maryland
18 (2011 Replacement Volume and 2016 Supplement)
- 19 BY repealing and reenacting, with amendments,
20 Article – Public Utilities
21 Section 7–704.1(d)(4)(iii)
22 Annotated Code of Maryland
23 (2010 Replacement Volume and 2016 Supplement)
- 24 BY repealing and reenacting, with amendments,
25 Article – State Finance and Procurement
26 Section 6–222(f)(3) and (4), 12–105(c)(1), 12–110(c)(1), 14–302(a)(9)(iv) and (v) and
27 (11)(iii)2., 14–303(b)(19), 14–305, 14–308(c), 14–503, and 14–505
28 Annotated Code of Maryland
29 (2015 Replacement Volume and 2016 Supplement)
- 30 BY repealing and reenacting, with amendments,
31 Article – State Government
32 Section 9–1A–10(b), 9–1A–23(d), 9–1A–36(l); 9–301 through 9–303.1 to be under the
33 amended subtitle “Subtitle 3. Office of Small, Minority, and Women Business
34 Affairs”; 9–306, and 9–20C–02(c)
35 Annotated Code of Maryland
36 (2014 Replacement Volume and 2016 Supplement)
- 37 BY repealing and reenacting, with amendments,
38 Article – State Personnel and Pensions
39 Section 21–116(d)(3) and (4) and 35–302(b)(3) and (4)
40 Annotated Code of Maryland

1 (2015 Replacement Volume and 2016 Supplement)

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

4 **Article – Economic Development**

5 14–103.

6 (d) In conjunction with the [Governor’s Office of Minority Affairs] **GOVERNOR’S**
7 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the Department
8 shall develop guidelines to assist it in identifying and evaluating qualified minority
9 business enterprises in order to help it achieve the objective for greater use of minority
10 business enterprises for brokerage and investment management services under this article.

11 (e) On or before September 1 each year, the Department shall submit a report to
12 the [Governor’s Office of Minority Affairs] **GOVERNOR’S OFFICE OF SMALL, MINORITY,**
13 **AND WOMEN BUSINESS AFFAIRS** and, subject to § 2–1246 of the State Government
14 Article, the General Assembly on:

15 (1) the identity of the minority business enterprise brokerage and
16 investment management services firms used by any fund established under this article in
17 the immediately preceding fiscal year;

18 (2) the percentage and dollar value of the assets under the custody of each
19 entity that are under the investment control of minority business enterprise brokerage and
20 investment management services firms in each allocated asset class; and

21 (3) the measures the entity undertook in the immediately preceding fiscal
22 year in accordance with subsection (c)(2) of this section.

23 **Article – Education**

24 11–1001.

25 (d) In conjunction with the [Governor’s Office of Minority Affairs] **GOVERNOR’S**
26 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the Commission
27 shall develop guidelines to assist the Commission in identifying and evaluating qualified
28 minority business enterprises in order to help the Commission achieve the objective for
29 greater use of minority business enterprises for brokerage and investment management
30 services for any fund established under this Division III.

31 (e) On or before September 1 each year, the Commission shall submit a report to
32 the [Governor’s Office of Minority Affairs] **GOVERNOR’S OFFICE OF SMALL, MINORITY,**
33 **AND WOMEN BUSINESS AFFAIRS** and, subject to § 2–1246 of the State Government
34 Article, the General Assembly on:

1 (1) The identity of the minority business enterprise brokerage and
2 investment management services firms used by the Commission in the immediately
3 preceding fiscal year;

4 (2) The percentage and dollar value of the Commission's assets in any fund
5 established under this article that are under the investment control of minority business
6 enterprise brokerage and investment management services firms in each allocated asset
7 class; and

8 (3) The measures the Commission undertook in the immediately preceding
9 fiscal year in accordance with subsection (c)(2) of this section.

10 Article – Environment

11 9–345.

12 (d) For financial assistance over \$500,000 awarded under the Fund, the applicant
13 shall demonstrate, to the satisfaction of the Department, that steps were taken to include
14 small business enterprises, minority business enterprises, and women's business
15 enterprises by:

16 (5) Using the services and assistance of the Maryland Department of
17 Transportation and the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
18 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** in identifying and soliciting small
19 business enterprises, minority business enterprises, and women's business enterprises.

20 9–421.

21 (d) For financial assistance over \$500,000 awarded under the Fund, the applicant
22 shall demonstrate, to the satisfaction of the Department, that steps were taken to include
23 small business enterprises, minority business enterprises, and women's business
24 enterprises by:

25 (5) Using the services and assistance of the Maryland Department of
26 Transportation and the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
27 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** in identifying and soliciting small
28 business enterprises, minority business enterprises, and women's business enterprises.

29 9–1605.2.

30 (i) (4) The grant agreement shall require a grantee to demonstrate, to the
31 satisfaction of the Department, that steps were taken to include small business enterprises,
32 minority business enterprises, and women's business enterprises by:

33 (i) Placing qualified small business enterprises, minority business
34 enterprises, and women's business enterprises on solicitation lists;

1 (ii) Assuring that small business enterprises, minority business
2 enterprises, and women's business enterprises are solicited whenever they are potential
3 sources;

4 (iii) Dividing total requirements, when economically feasible, into
5 small tasks or quantities to permit maximum participation of small business enterprises,
6 minority business enterprises, and women's business enterprises;

7 (iv) Establishing delivery schedules, where the requirement permits,
8 that encourage participation by small business enterprises, minority business enterprises,
9 and women's business enterprises; and

10 (v) Using the services and assistance of the Maryland Department
11 of Transportation and the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE**
12 **OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** in identifying and soliciting
13 small business enterprises, minority business enterprises, and women's business
14 enterprises.

15 9-1605.3.

16 (f) (2) For financial assistance over \$500,000 awarded under the Fund, the
17 grantee shall demonstrate, to the satisfaction of the Department, that steps were taken to
18 include small businesses, certified minority business enterprises, and certified minority
19 business enterprises classified as women-owned businesses by:

20 (v) Using the services and assistance of the Department of
21 Transportation and the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
22 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** in identifying and soliciting small
23 businesses, certified minority business enterprises, and certified minority business
24 enterprises classified as women-owned businesses.

25 Article – Health General

26 20-1004.

27 The Office shall:

28 (21) Work collaboratively with the [Office of Minority Affairs] **OFFICE OF**
29 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** as the Office determines
30 necessary; and

31 Article – Housing and Community Development

32 4-501.1.

1 (d) In conjunction with the [Governor's Office of Minority Affairs] **GOVERNOR'S**
2 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the Department
3 shall develop guidelines to assist it in identifying and evaluating qualified minority
4 business enterprises in order to help the Department achieve the objective for greater use
5 of minority business enterprises for brokerage and investment management services for
6 the funds established under this subtitle.

7 (e) On or before September 1 each year, the Department shall submit a report to
8 the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY,**
9 **AND WOMEN BUSINESS AFFAIRS** and, subject to § 2-1246 of the State Government
10 Article, the General Assembly on:

11 (1) the identity of the minority business enterprise brokerage and
12 investment management services firms used by the Department in the immediately
13 preceding fiscal year;

14 (2) the percentage and dollar value of the assets in the funds established
15 under this subtitle that are under the investment control of minority business enterprise
16 brokerage and investment management services firms in each allocated asset class; and

17 (3) the measures the Department undertook in the immediately preceding
18 fiscal year in accordance with subsection (c)(2) of this section.

19 **Article – Insurance**

20 20-303.

21 (c) (3) In conjunction with the [Governor's Office of Minority Affairs]
22 **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the
23 financial management committee shall develop guidelines to assist the committee in
24 identifying and evaluating qualified minority business enterprises in order to help the
25 Fund achieve the objective for greater use of minority business enterprises for brokerage
26 and investment management services.

27 (4) On or before September 1 each year, the financial management
28 committee shall submit a report to the [Governor's Office of Minority Affairs]
29 **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** and,
30 subject to § 2-1246 of the State Government Article, the General Assembly on:

31 (i) the identity of the minority business enterprise brokerage and
32 investment management services firms used by the financial management committee in
33 the immediately preceding fiscal year;

34 (ii) the percentage and dollar value of the Fund assets that are under
35 the investment control of minority business enterprise brokerage and investment
36 management services firms in each allocated asset class; and

1 (iii) the measures the financial management committee undertook in
2 the immediately preceding fiscal year in accordance with paragraph (2)(ii) of this
3 subsection.

4 24–310.

5 (d) In conjunction with the [Governor’s Office of Minority Affairs] **GOVERNOR’S**
6 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the Board shall
7 develop guidelines to assist it in identifying and evaluating qualified minority business
8 enterprises in order to help the Company achieve the objective for greater use of minority
9 business enterprises for brokerage and investment management services.

10 (e) On or before September 1 each year, the Board shall submit a report to the
11 [Governor’s Office of Minority Affairs] **GOVERNOR’S OFFICE OF SMALL, MINORITY,**
12 **AND WOMEN BUSINESS AFFAIRS** and, in accordance with § 2–1246 of the State
13 Government Article, the General Assembly on:

14 (1) the identity of the minority business enterprise brokerage and
15 investment management services firms used by the Board in the immediately preceding
16 fiscal year;

17 (2) the percentage and dollar value of the Company assets that are under
18 the investment control of minority business enterprise brokerage and investment
19 management services firms; and

20 (3) the measures the Board undertook in the immediately preceding fiscal
21 year in accordance with subsection (c)(2) of this section.

22 Article – Public Utilities

23 7–704.1.

24 (d) (4) (iii) The [Governor’s Office of Minority Affairs] **GOVERNOR’S**
25 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, in consultation with
26 the Office of the Attorney General, shall provide assistance to all potential applicants and
27 potential minority investors to satisfy the requirements under subparagraph (ii)1 and 3 of
28 this paragraph.

29 Article – State Finance and Procurement

30 6–222.

31 (f) (3) In conjunction with the [Governor’s Office of Minority Affairs]
32 **GOVERNOR’S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the
33 Treasurer shall develop guidelines to assist in identifying and evaluating qualified minority

1 business enterprises in order to help the Treasurer achieve the objective for greater use of
2 minority business enterprises for brokerage and investment management services under
3 this section.

4 (4) On or before September 1 each year, the Treasurer shall submit a report
5 to the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL,**
6 **MINORITY, AND WOMEN BUSINESS AFFAIRS** and, subject to § 2-1246 of the State
7 Government Article, the General Assembly on:

8 (i) the identity of the minority business enterprise brokerage and
9 investment management services firms used by the Treasurer in the immediately
10 preceding fiscal year;

11 (ii) the percentage and dollar value of the assets under the custody
12 of the Treasurer that are under the investment control of minority business enterprise
13 brokerage and investment management services firms for each allocated asset class; and

14 (iii) the measures the Treasurer undertook in the immediately
15 preceding fiscal year in accordance with paragraph (2)(ii) of this subsection.

16 12-105.

17 (c) (1) The Council consists of the following 11 members:

18 (i) the State Treasurer;

19 (ii) the Chancellor of the University System of Maryland;

20 (iii) the Secretary of Budget and Management;

21 (iv) the Secretary of General Services;

22 (v) the Secretary of Information Technology;

23 (vi) the Secretary of Transportation;

24 (vii) the Secretary of the Board;

25 (viii) the Special Secretary for the [Office of Minority Affairs] **OFFICE**
26 **OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**;

27 (ix) a representative of local government who has expertise in local
28 procurement matters, appointed by the Governor with the advice and consent of the Senate;
29 and

30 (x) two members of the general public, at least one of whom has
31 expertise in State procurement matters, appointed by the Governor with the advice and

1 consent of the Senate.

2 12–110.

3 (c) (1) The Council consists of the following members:

4 (i) the State Treasurer;

5 (ii) the Attorney General;

6 (iii) the Procurement Advisor;

7 (iv) the State Superintendent of Schools;

8 (v) the Secretary of Budget and Management;

9 (vi) the Secretary of Juvenile Services;

10 (vii) the Secretary of Human Resources;

11 (viii) the Secretary of Health and Mental Hygiene;

12 (ix) the Director of the Governor’s Grants Office;

13 (x) the Executive Director of the Governor’s Office of Crime Control
14 and Prevention;

15 (xi) the Executive Director of the Governor’s Office for Children;

16 (xii) the Special Secretary for the [Office of Minority Affairs] **OFFICE**
17 **OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS;**

18 (xiii) four representatives of private organizations with experience
19 providing human services funded by contracts through State units, appointed by the
20 Governor;

21 (xiv) a member of the Senate, appointed by the President of the
22 Senate; and

23 (xv) a member of the House of Delegates, appointed by the Speaker
24 of the House.

25 14–302.

26 (a) (9) (iv) 1. Except for waivers granted in accordance with
27 subparagraph (iii) of this paragraph, when a waiver determination is made, the unit shall
28 issue the determination in writing.

- 1 2. The head of the unit shall:
- 2 A. keep one copy of the waiver determination and the reasons
3 for the determination; and
- 4 B. forward one copy of the waiver determination to the
5 **[Governor's Office of Minority Affairs] GOVERNOR'S OFFICE OF SMALL, MINORITY,**
6 **AND WOMEN BUSINESS AFFAIRS.**

7 (v) On or before July 31 of each year, each unit shall submit directly
8 to the Board of Public Works and the **[Governor's Office of Minority Affairs] GOVERNOR'S**
9 **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** an annual report of
10 waivers requested and waivers granted under this paragraph.

11 (11) (iii) 2. The unit shall send a copy of the written consent obtained
12 under subparagraph 1 of this subparagraph to the **[Governor's Office of Minority**
13 **Affairs] GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS**
14 **AFFAIRS.**

15 14-303.

16 (b) These regulations shall include:

17 (19) a requirement that each unit work with the **[Governor's Office of**
18 **Minority Affairs] GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN**
19 **BUSINESS AFFAIRS** to designate certain procurements as being excluded from the
20 requirements of § 14-302(a) of this subtitle; and

21 14-305.

22 (a) (1) Within 90 days after the end of the fiscal year, each unit shall report to
23 the **[Governor's Office of Minority Affairs] GOVERNOR'S OFFICE OF SMALL, MINORITY,**
24 **AND WOMEN BUSINESS AFFAIRS**, the certification agency, and, subject to § 2-1246 of
25 the State Government Article, the Joint Committee on Fair Practices and Personnel
26 Oversight.

27 (2) A report under this subsection shall for the preceding fiscal year:

28 (i) state the total number and value of procurement contracts
29 between the unit and certified minority business enterprises, by specific category of
30 minority business enterprise, including whether the minority business enterprise
31 participated as a prime contractor or as a subcontractor;

32 (ii) indicate the percentage that those procurement contracts
33 represent, by specific category of minority business enterprise, of the total number and

1 value of procurement contracts;

2 (iii) state the total number and the names of certified minority
3 business enterprises that participated as prime contractors or as subcontractors on
4 procurement contracts awarded by a unit;

5 (iv) for each minority business included in the report under item (iii)
6 of this paragraph, list all procurement contracts awarded by a unit to the minority business
7 enterprise, including a description of the contract; and

8 (v) contain other such information as required by the [Governor's
9 Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN
10 BUSINESS AFFAIRS** and the certification agency and approved by the Board.

11 (3) As to procurement contracts for architectural services and engineering
12 services reported under paragraph (2) of this subsection, the report shall identify by
13 separate category of minority business enterprise procurements for:

14 (i) architectural services; and

15 (ii) engineering services.

16 (4) A report under this subsection shall be in a form prescribed by the
17 [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY,
18 AND WOMEN BUSINESS AFFAIRS** and the certification agency and approved by the
19 Board.

20 (b) (1) On or before December 31 of each year, the [Governor's Office of
21 Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN
22 BUSINESS AFFAIRS** shall submit to the Board of Public Works and, subject to § 2-1246 of
23 the State Government Article, to the Legislative Policy Committee a report summarizing
24 the information the Office receives under subsection (a) of this section.

25 (2) This report may be prepared in conjunction with the annual report
26 required under § 9-306 of the State Government Article.

27 14-308.

28 (c) The [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF
29 SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** shall make available a fraud
30 hotline for reporting violations of this section.

31 14-503.

32 (a) The [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF
33 SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** shall adopt regulations to

1 establish procedures for compiling and maintaining a comprehensive bidder's list of
2 qualified small businesses that shall be posted on the Internet.

3 (b) The [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
4 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** shall:

5 (1) establish guidelines for Small Business Reserve Program
6 administration;

7 (2) ensure agency compliance with the Small Business Reserve Program;

8 (3) provide training and technical assistance to agency personnel; and

9 (4) collect data regarding the State's utilization of small business reserve
10 vendors.

11 (c) Each designated procurement unit shall ensure compliance with the
12 regulations set forth in subsection (a) of this section.

13 14–505.

14 (a) Within 60 days after the enactment of the budget bill by the General
15 Assembly, each designated procurement unit shall submit a report to the [Governor's Office
16 of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN**
17 **BUSINESS AFFAIRS** that complies with the reporting requirements set forth in COMAR
18 21.11.01.06.

19 (b) (1) Within 90 days after the end of each fiscal year, each unit shall submit
20 a report to the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL,**
21 **MINORITY, AND WOMEN BUSINESS AFFAIRS** that complies with the requirements of
22 paragraph (2) of this subsection.

23 (2) For the preceding fiscal year, the report shall:

24 (i) state the total number and the dollar value of payments the unit
25 made to small businesses under designated small business reserve contracts;

26 (ii) state the total number and the dollar value of payments the unit
27 made to small businesses under nondesignated small business reserve contracts, including
28 purchase card procurements;

29 (iii) state the total dollar value of payments the unit made under
30 procurement contracts; and

31 (iv) contain other such information as required by the [Governor's
32 Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN**

1 **BUSINESS AFFAIRS.**

2 (c) On or before December 31 of each year, the [Governor's Office of Minority
3 Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS**
4 **AFFAIRS** shall submit to the Board of Public Works and, subject to § 2-1246 of the State
5 Government Article, to the Legislative Policy Committee a report summarizing the
6 information the Office receives under subsection (b) of this section.

7 **Article – State Government**

8 9-1A-10.

9 (b) (1) The Commission shall ensure that a video lottery operation licensee
10 complies with the requirements of subsection (a)(1) and (2) of this section as a condition of
11 holding the video lottery operation license.

12 (2) The [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
13 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** shall monitor a licensee's
14 compliance with subsection (a)(1) and (2) of this section.

15 (3) The [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
16 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** shall report to the Commission at
17 least every 6 months on the compliance of licensees with subsection (a)(1) and (2) of this
18 section.

19 (4) If the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
20 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** reports that a licensee is not in
21 compliance with subsection (a)(1) and (2) of this section, the Commission may take
22 immediate action to ensure the compliance of the licensee.

23 9-1A-23.

24 (d) (1) Within 30 days after the completion of its first year of operations, a
25 video lottery operation licensee in Baltimore City shall:

26 (i) compile data on the age, sex, race, and county of residence of its
27 State video lottery employees who worked in the State during the previous year; and

28 (ii) submit the data to the Commission.

29 (2) Within 3 months after receiving the data required under paragraph (1)
30 of this subsection, the Commission shall submit a report containing the data to the
31 Governor, the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL,**
32 **MINORITY, AND WOMEN BUSINESS AFFAIRS**, and, subject to § 2-1246 of the State
33 Government Article, the President of the Senate and the Speaker of the House of Delegates.

1 (3) The Commission shall adopt regulations to carry out this subsection.

2 9-1A-36.

3 (l) (1) If an applicant is seeking investors in the entity applying for a video
4 lottery operation license, it shall take the following steps before being awarded a license by
5 the Video Lottery Facility Location Commission:

6 (i) make serious, good-faith efforts to solicit and interview a
7 reasonable number of minority investors;

8 (ii) as part of the application, submit a statement that lists the
9 names and addresses of all minority investors interviewed and whether or not any of those
10 investors have purchased an equity share in the entity submitting an application; and

11 (iii) if an applicant is awarded a license by the Video Lottery Facility
12 Location Commission, the applicant shall sign a memorandum of understanding with the
13 Video Lottery Facility Location Commission that requires the awardee to again make
14 serious, good-faith efforts to interview minority investors in any future attempts to raise
15 venture capital or attract new investors to the entity awarded the license.

16 (2) The [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF**
17 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, in consultation with the Office of
18 the Attorney General, shall provide assistance to all potential applicants and potential
19 minority investors to satisfy the requirements under paragraph (1)(i) and (iii) of this
20 subsection.

21 Subtitle 3. [Office of Minority Affairs] **OFFICE OF SMALL, MINORITY, AND WOMEN**
22 **BUSINESS AFFAIRS.**

23 9-301.

24 (a) In this subtitle the following words have the meanings indicated.

25 (b) "Interdepartmental Committee" means the [Interdepartmental Advisory
26 Committee on Minority Affairs] **INTERDEPARTMENTAL ADVISORY COMMITTEE ON**
27 **SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS.**

28 (c) (1) "Minority person" means:

29 (i) an individual who has been deprived of the opportunity to
30 develop and keep a competitive position in the economy because of a social or economic
31 disadvantage that arises from cultural, racial, or other similar causes; or

32 (ii) a sheltered workshop for individuals with disabilities.

1 (2) “Minority person” includes:

2 (i) an Aleut;

3 (ii) an American Indian;

4 (iii) a Black;

5 (iv) an Eskimo;

6 (v) a Hispanic;

7 (vi) an Oriental;

8 (vii) a Puerto Rican; or

9 (viii) a woman.

10 (d) “Office” means the [Office of Minority Affairs] **OFFICE OF SMALL,**
11 **MINORITY, AND WOMEN BUSINESS AFFAIRS.**

12 (e) “Special Secretary” means the Special Secretary for the [Office of Minority
13 Affairs] **OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS.**

14 9–302.

15 There is an [Office of Minority Affairs] **OFFICE OF SMALL, MINORITY, AND**
16 **WOMEN BUSINESS AFFAIRS** in the Executive Department.

17 9–303.

18 (a) The head of the [Office of Minority Affairs] **OFFICE OF SMALL, MINORITY,**
19 **AND WOMEN BUSINESS AFFAIRS** is the Special Secretary, who shall be appointed by and
20 serves at the pleasure of the Governor.

21 (b) The Special Secretary shall receive the salary provided in the State budget.

22 9–303.1.

23 (a) There is an [Interdepartmental Advisory Committee for Minority Affairs]
24 **INTERDEPARTMENTAL ADVISORY COMMITTEE ON SMALL, MINORITY, AND WOMEN**
25 **BUSINESS AFFAIRS.**

26 (b) The Interdepartmental Committee is composed of:

27 (1) the secretary of each principal department of the Executive Branch of

1 government, or the secretary's designee;

2 (2) the State Superintendent of Schools, or the Superintendent's designee;

3 (3) the Secretary of Higher Education, or the Secretary's designee; and

4 (4) the Special Secretary.

5 (c) The Interdepartmental Committee shall:

6 (1) advise the Special Secretary on proposals to implement and enhance
7 the duties of the Office, including the promotion of employment of minority persons in the
8 State, and the promotion of the growth and participation of minority business enterprises
9 in the State;

10 (2) gather such information the Committee deems necessary to promote
11 the goals of the Office;

12 (3) provide such other assistance as may be required to further the
13 purposes of §§ 9-304 and 9-305 of this subtitle; and

14 (4) meet at the call of the Special Secretary.

15 9-306.

16 (a) On or before the 15th day of each regular session of the General Assembly, the
17 Special Secretary shall send an annual report on the [Office of Minority Affairs] **OFFICE**
18 **OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS:**

19 (1) to the Governor; and

20 (2) subject to § 2-1246 of this article, to the General Assembly.

21 (b) The annual report may be prepared in conjunction with the report required
22 under § 14-305(b) of the State Finance and Procurement Article.

23 9-20C-02.

24 (c) The Advisory Committee consists of the following members:

25 (1) two members of the Senate of Maryland, one from each of the principal
26 political parties, appointed by the President of the Senate;

27 (2) two members of the House of Delegates, one from each of the principal
28 political parties, appointed by the Speaker of the House;

29 (3) the Director or the Director's designee;

1 (4) the Secretary of Commerce, or the Secretary's designee;

2 (5) the Special Secretary of the [Governor's Office of Minority Affairs]
3 **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, or the
4 Special Secretary's designee; and

5 (6) the following 12 members, appointed by the Governor:

6 (i) 1 representative of a public institution of higher education in the
7 State;

8 (ii) 1 representative of a historically black or African American
9 university in the State;

10 (iii) 1 representative of the State's community colleges;

11 (iv) 1 representative of the Maryland Independent Colleges and
12 Universities Association;

13 (v) 1 representative of the Maryland Small Business Development
14 Center Network;

15 (vi) 1 representative of the Maryland Business Coalition for Offshore
16 Wind;

17 (vii) 1 representative of a business incubator in the State with
18 experience in providing services to minority business enterprises as defined in § 14-301 of
19 the State Finance and Procurement Article, or to emerging businesses, including emerging
20 businesses owned by minorities;

21 (viii) 1 individual with experience in providing business financing to
22 minority business enterprises as defined in § 14-301 of the State Finance and Procurement
23 Article, or to emerging businesses, including emerging businesses owned by minorities;

24 (ix) 1 representative of an offshore wind developer;

25 (x) 1 representative of an original equipment manufacturer;

26 (xi) 1 individual who is a minority business advocate; and

27 (xii) 1 individual with experience in offshore wind supply chain
28 issues.

29 **Article – State Personnel and Pensions**

30 21-116.

1 (d) (3) In consultation with the [Governor's Office of Minority Affairs]
2 **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** and
3 the Investment Committee, the Board of Trustees shall develop guidelines to assist the
4 Investment Committee in identifying and evaluating qualified minority business
5 enterprises in order to help the State Retirement Agency achieve the objective for greater
6 use of minority business enterprises for brokerage and investment management services.

7 (4) On or before September 1 each year, the Investment Committee shall
8 submit a report to the Board of Trustees, the [Governor's Office of Minority Affairs]
9 **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS** and,
10 subject to § 2-1246 of the State Government Article, the General Assembly on:

11 (i) the identity of the minority business enterprise brokerage and
12 investment management services firms used by the Investment Committee in the
13 immediately preceding fiscal year;

14 (ii) the percentage and dollar value of the assets that are under the
15 control of the Investment Committee that are under the investment control of minority
16 business enterprise brokerage and investment management services firms for each
17 allocated asset class; and

18 (iii) the measures the Investment Committee undertook in the
19 immediately preceding fiscal year in accordance with paragraph (2)(ii) of this subsection.

20 35-302.

21 (b) (3) In consultation with the [Governor's Office of Minority Affairs]
22 **GOVERNOR'S OFFICE OF SMALL, MINORITY, AND WOMEN BUSINESS AFFAIRS**, the
23 Board shall develop guidelines to assist the Board in identifying and evaluating qualified
24 minority business enterprises in order to help the Maryland Teachers and State Employees
25 Supplemental Retirement Plans achieve the objective for greater use of minority business
26 enterprises for brokerage and investment management services.

27 (4) On or before September 1 each year, the Board shall submit a report to
28 the [Governor's Office of Minority Affairs] **GOVERNOR'S OFFICE OF SMALL, MINORITY,**
29 **AND WOMEN BUSINESS AFFAIRS** and, subject to § 2-1246 of the State Government
30 Article, the General Assembly on:

31 (i) the identity of the minority business enterprise brokerage and
32 investment management services firms used by the Board in the immediately preceding
33 fiscal year;

34 (ii) the percentage and dollar value of the assets that are under the
35 control of the Board that are under the investment control of minority business enterprise
36 brokerage and investment management services firms for each allocated asset class; and

1 (iii) the measures the Board undertook in the immediately preceding
2 fiscal year in accordance with paragraph (2)(ii) of this subsection.

3 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
4 Annotated Code of Maryland, in consultation with and subject to the approval of the
5 Department of Legislative Services, shall correct, with no further action required by the
6 General Assembly, cross-references and terminology rendered incorrect by this Act. The
7 publisher shall adequately describe any correction that is made in an editor's note following
8 the section affected.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
10 1, 2017.