

Prince George's County Council Agenda Item Summary

Meeting Date: 11/15/2011
Reference No.: CB-043-2011
Draft No.: 1
Proposer(s): County Executive
Sponsor(s): Turner, Franklin, Toles, Patterson, Olson, Campos
Item Title: An Act amending provisions of the County Code to allow issuance of minority business enterprise certifications to entities at least fifty-one percent (51%) owned by minority individuals; add Native Americans to the definition of minority individuals; refine the definitions of certain groups identified in the definition of minority individuals; and generally relating to certifications of minority business enterprises

Drafter: Tracy M. Benjamin, Office of Law
Resource Personnel: Roland Jones, Office of Central Services

LEGISLATIVE HISTORY:

Date Presented:	9/27/2011	Executive Action:	12/7/2011 S
Committee Referral:	9/27/2011 - PSFM	Effective Date:	1/23/2012

Committee Action: 10/5/2011 - FAV

Date Introduced: 10/18/2011
Public Hearing: 11/15/2011 - 10:00 AM

Council Action (1) 11/15/2011 - ENACTED
Council Votes: WC:A, DLD:A, MRF:-, AH:-, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

02-232.01, 10A-101

COMMITTEE REPORTS:

PSFM Committee Report

Date 10/5/2011

Committee Vote: Favorable 5-0 (In Favor: Council Members Campos, Franklin, Patterson, Toles and Turner)

This bill will amend certain provisions of the County Code to allow issuance of minority business enterprise certifications to entities at least fifty-one percent (51%) owned by minority individuals; add Native Americans to the definition of minority individuals; and refine the definitions of certain groups identified in the definition of minority individuals. During discussion of the bill, there was a question as to when Native Americans were removed from the groups listed under minority individuals. Roland Jones, Executive Director of the Minority Business Development Division in the Office of Central Services stated the group was taken out in the early 1990s.

The Office of Law has reviewed this legislation and finds it to be in proper legislative form with no legal impediments to its enactment.

There will not be a negative fiscal impact on the County as a result of enacting CB-43-2011.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation amends provisions of the County Code relating to certifications of minority business enterprises. It will refine the definition of “minority individuals” in the County’s procurement laws, adding the group “Native Americans” and increasing the specificity of the groups within the definition. Additionally, the meanings of “minority business firms” and “minority individual” as those terms are used in the County Code provisions regarding public improvement and service contracts are amended to mirror those terms as used in the County’s procurement laws. Finally, this legislation will increase, from fifty percent (50%) to fifty-one percent (51%), the percentage of a privately owned business that must be owned by minority individuals for that business to be considered a “minority business firm.”

CODE INDEX TOPICS:

INCLUSION FILES:
