

# Glendening Pushes Rise in Minority Contracting

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ANNAPOLIS, March 3—As the country seems ready to retreat from affirmative action, Maryland Gov. Parris N. Glendening is charging in the opposite direction with a proposal to expand the amount of state business targeted exclusively for minority-owned companies.

Not without reason is the new governor marching to the beat of a different drummer. Glendening owes his narrow victory last fall, the only one by a new Democratic governor east of the Rocky Mountains, in large part to overwhelming voter support from majority-black Prince George's County and Baltimore.

And Glendening got substantial financial backing from black- and other minority-owned businesses.

Glendening says he regards the minority contracting program as an economic development tool, one that could have the side effect

Fiscal year	Total state procurement	Amount going to minority- and women-owned companies	Percent
1991	\$1.3 billion	\$133 million	10%
1992	\$1.6 billion	\$217 million	14
1993	\$2.0 billion	\$223 million	11
1994	\$1.8 billion	\$249 million	14

SOURCE: Governor's Office of Minority Affairs

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of lessening the need for expensive social programs and welfare.

"The importance that we see is to have a mechanism to assist these businesses and not to have quotas or anything of that type, which I object to very strongly," Glendening said this week.

As county executive in Prince George's for

12 years, Glendening enthusiastically supported preferences that gave minority entrepreneurs up to 30 percent of the county's procurement dollars. But Glendening faces a somewhat different political landscape in trying to repeat his efforts statewide.

The General Assembly's Republican minority, emboldened by gains in last fall's elec-

tion, has signaled that it may try to strip the contracting program of its racial preferences and replace them with provisions to give preference to economically disadvantaged businesses, regardless of race.

Many female business owners, who are lumped together now with other minorities in the program, have objected to Glendening's plan to set up separate systems for women and racial minorities. Some women fear that it could limit their access to the state market. And many moderate Democratic legislators are nervous about the chance that expanding the program could expose them to charges that they are out of step with mainstream voters and put the minority initiative at risk.

"I hope that we're not going to entertain a bill that so arouses the emotions of people that we end up going in an extreme direction," said Del. D. Bruce Poole, a Western Maryland Democrat who is chairman of a House subcommittee with oversight responsibility for the minority contracting program.

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# Glendening Measure Would Raise Md. Goals for Minority Contracts

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Arnold Jolivet, president of the Maryland Minority Contractors Association, expressed confidence that Glendening would follow through and perhaps even toughen his legislative proposal on minority contracting. "The present governor did an excellent job in Prince George's," Jolivet said. "We would hope that he could generate the same kind of progress at the state level."

Under a bill introduced by the Glendening administration, the state would raise its overall goal for minority contracting from 10 percent to 18 percent of total state contracting dollars. In construction contracts, the bill would set separate sub-targets, with 5 percent targeted for women-owned businesses and 13 percent for other minorities.

The new goals would require a stronger state effort to contract with minority companies. In the last fiscal year, for instance, minority- and women-owned companies won Maryland government contracts totaling about \$250 million, or about 14 percent of total state procurement.

In an interview this week, Glendening said the goals are derived from a study that was carried out for the state last year to help provide legal support for the state's contracting program. The U.S. Supreme Court has ruled that governments with minority contracting programs must demonstrate statistical evidence of discrimination and must fashion remedies narrowly tailored to address that discrimination.

The state's study concluded that,

in fact, minority-owned companies continue to face discrimination and were "underutilized" by state agencies—that is, they did not receive contracts in proportion to their numbers in the market.

"That study came up with the 18 percent figure," Glendening said. "If we deviate too far from that, we get in the crazy situation that the law may not be sufficient to meet the guidelines established by the court."

From Republican-controlled Capitol Hill to several state capitals, notably in California, pointed questions are being asked about the continued wisdom and usefulness of affirmative action programs established to redress past discrimination by actively trying to provide opportunities for minorities in business and education.

Legislative leaders here said Glendening's minority procurement initiative could be one of the "sleeper" issues of the 1995 session, with the prospect of an acrimonious debate that mirrors the national reevaluation of affirmative action in other states. Although Glendening and his allies say their proposal would not provide for "set-asides" or "quotas," some white contracting companies have complained that there is a coercive element to the current program and that in many cases they are unable to find qualified minority companies to meet the goals.

The current law requires contractors on state highway projects to use a certain percentage of minority subcontractors, with the number varying depending on the area and the type of project. That requirement may be waived if contractors can

document that they made a "good faith" effort to find minority subcontractors.

Michael J. Miller, vice president of Concrete General Inc., in Gaithersburg, said his business has a tough time finding black-owned companies to subcontract work in such areas as installing highway guardrails or signing and lighting. "There are no minorities in the areas that I need," he said. "We're not meeting the goals now. Expanding it now will make it worse."

But many black contractors and legislators argue that such complaints are a smoke screen for businesses that do not want to share a bigger piece of the economic pie with companies that they say have faced discrimination. Such groups as the Legislative Black Caucus are playing a tough brand of politics to get the bill through the General Assembly.

Last week, the veteran lobbyist for the Maryland Highway Contractors Association asked to be excused from lobbying on the issue after, legislative sources said, members of the caucus warned him that his other bills would be killed if he did not stop.

Del. Joanne C. Benson (D-Prince George's), chairwoman of the black caucus, said the group had not pressured lobbyists. But she also said the group has warned opponents that they cannot expect the caucus to support them on other issues if they don't support the caucus on an issue of such importance.

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*Staff writer Charles Babington contributed to this report.*