

1609--A

2009-2010 Regular Sessions

I N S E N A T E

February 3, 2009

Introduced by Sens. VALESKY, AUBERTINE, HASSELL-THOMPSON, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business -- recommitted to the Committee on Commerce, Economic Development and Small Business in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the economic development law, the New York state urban development corporation act, the executive law and the state administrative procedure act, in relation to assisting small businesses in this state

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivisions 7, 8, 9 and 10 of section 134 of the economic
2 development law, subdivision 7 as added by chapter 547 of the laws of
3 1976, subdivision 8 as amended by chapter 361 of the laws of 2009,
4 subdivision 9 as amended by chapter 490 of the laws of 1993 and subdivi-
5 sion 10 as added by chapter 543 of the laws of 2002, are amended to read
6 as follows:
7 7. review pending legislation affecting small-businesses and report
8 its findings to the commissioner; [and]
9 8. initiate and encourage small-business education programs in general
10 and to coordinate with the functions of the office of general services
11 an information and outreach program directed toward informing small-bu-
12 sinesses in the state of procedures necessary for competing for state
13 purchases and to coordinate with the functions of every state agency,
14 department or authority described in section one hundred thirty-nine-g
15 of the state finance law, pursuant to subdivision (b) of section one
16 hundred thirty-nine-g of the state finance law, an information and
17 outreach program directed toward informing small-businesses in the state
18 of procedures necessary for competing for state contracts, including

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 without limitation educating small contractors about surety bonding
2 requirements on state contracts, and identifying resources available to
3 such contractors in obtaining their first bond and in increasing their
4 bonding capacity, including but not limited to the federal small busi-
5 ness administration bond guarantee program[.];

6 9. ADVISE AND MAKE RECOMMENDATIONS TO THE COMMISSIONER ON MATTERS
7 AFFECTING MICRO-ENTERPRISES CONSISTING OF FEWER THAN FIVE EMPLOYEES;

8 10. the commissioner and the commissioners of agriculture and markets
9 and the office of general services shall initiate and encourage small-
10 business education programs and coordinate with the functions of the
11 office of general services, pursuant to subdivision (b) of THE FORMER
12 section one hundred sixty-one-b of the state finance law, an information
13 and outreach program directed toward informing eligible businesses in
14 the state of procedures necessary for competing for purchases of food
15 products pursuant to THE FORMER section one hundred seventy-four-a of
16 the state finance law and subdivision eight-a of section one hundred
17 three of the general municipal law, and to coordinate with the functions
18 of every state agency or department described in subdivision (b) of
19 section one hundred thirty-nine-g of the state finance law, an informa-
20 tion and outreach program directed toward informing eligible businesses
21 in the state of procedures necessary for competing for contracts for the
22 purchase of food products pursuant to THE FORMER section one hundred
23 seventy-four-a of the state finance law and subdivision eight-a of
24 section one hundred three of the general municipal law[.]; AND

25 [10.] 11. conduct a survey of all business incubators in the state and
26 assess the need for additional incubator facilities to nurture the
27 growth and development of small businesses.

28 S 2. Section 1 of chapter 174 of the laws of 1968 constituting the New
29 York state urban development corporation act is amended by adding a new
30 section 16-t to read as follows:

31 S 16-T. MAIN STREET CENTER GRANT PROGRAM. 1. THE CORPORATION SHALL
32 ADMINISTER A STATEWIDE PROGRAM TO CREATE MAIN STREET CENTERS IN EACH OF
33 THE COUNTIES IN NEW YORK STATE, WITH THE EXCEPTION OF THE FIVE BOROUGHES
34 OF NEW YORK CITY.

35 2. EACH COUNTY MAIN STREET CENTER SHALL BE ELIGIBLE TO RECEIVE A
36 MATCHING GRANT OF UP TO ONE HUNDRED THOUSAND DOLLARS TOWARD THE CREATION
37 OF THE COUNTY CENTER IF THE COUNTY DESIGNATES THE EQUIVALENT OF A FULL-
38 TIME EMPLOYEE TO THE MAIN STREET DEVELOPMENT EFFORT. THE GRANTS MAY BE
39 USED FOR FACADE RENOVATION AND INTERIOR REHABILITATION.

40 3. EACH CENTER SHALL HOUSE COMPREHENSIVE LIBRARY OF MAIN STREET PUBLI-
41 CATIONS AVAILABLE TO BE LOANED.

42 4. EACH CENTER SHALL DEVELOP A CENTRAL DATABASE OF ALL STATE AND
43 FEDERAL GRANT RESOURCES. THE CORPORATION SHALL ASSIST LOCALITIES IN
44 IDENTIFYING POTENTIAL SOURCES OF FUNDING AND PROVIDE TECHNICAL ASSIST-
45 ANCE REGARDING GRANT PROCUREMENT.

46 5. EACH CENTER SHALL DEVELOP GUIDELINES TO ASSIST LOCALITIES IN ENSUR-
47 ING THAT FACADE RENOVATIONS ARE DONE IN A MANNER THAT RESPECTS THE
48 ARCHITECTURE OF THE BUILDING TO BE RENOVATED AND HELPS TO ENHANCE THE
49 HISTORIC INTEGRITY OF THE MAIN STREET DISTRICT.

50 S 3. The executive law is amended by adding two new sections 102-a and
51 149-a to read as follows:

52 S 102-A. RULE-MAKING DOCUMENTS SUBMITTED TO THE SECRETARY OF STATE. 1.
53 ON OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN, ALL RULE-MAKING DOCU-
54 MENTS SHALL BE SUBMITTED TO THE SECRETARY OF STATE IN ELECTRONIC FORMAT.
55 THE SECRETARY OF STATE SHALL MAKE SUCH DOCUMENTS AVAILABLE WITHOUT
56 CHARGE TO THE PUBLIC ELECTRONICALLY, AND SHALL DISSEMINATE SUCH DOCU-

1 MENTS WITHOUT CHARGE TO INTERESTED PARTIES BY VARIOUS MEANS, INCLUDING
2 AT A MINIMUM THROUGH ONE OR MORE ELECTRONIC MAILING LISTS, RSS FEEDS,
3 AND ANY OTHER TECHNOLOGIES DETERMINED BY THE SECRETARY TO BE EFFECTIVE
4 IN PROVIDING TIMELY AND EFFECTIVE ACCESS TO RULE-MAKING INFORMATION. AT
5 LEAST ONE SUCH MEANS SHALL UTILIZE A RULES TRACKER PROGRAM OR SIMILAR
6 PROGRAM THAT ENABLES A USER TO CUSTOMIZE THE RULE-MAKING INFORMATION
7 THAT WILL BE PROVIDED.

8 2. FOR THE PURPOSES OF THIS SECTION, THE TERM "RSS" OR RICH SITE
9 SUMMARY SHALL MEAN A FORMAT FOR DELIVERING REGULARLY CHANGING WEB
10 CONTENT.

11 S 149-A. ONLINE PUBLICATION OF STATE REGISTER. 1. THE SECRETARY OF
12 STATE SHALL PUBLISH AN ELECTRONIC VERSION OF THE STATE REGISTER ON ITS
13 WEBSITE AND SHALL MAKE IT AVAILABLE WITHOUT CHARGE ONLINE.

14 2. THE INTERNET HOME PAGE OF EVERY STATE AGENCY THAT ADOPTS RULES AND
15 REGULATIONS OR PUBLISHES NOTICES IN THE STATE REGISTER SHALL MAINTAIN A
16 LINK TO THE ELECTRONIC VERSION OF THE STATE REGISTER.

17 S 4. Paragraph (a) of subdivision 6-a of section 202 of the state
18 administrative procedure act, as amended by chapter 171 of the laws of
19 1994, is amended to read as follows:

20 (a) An agency shall transmit a copy of any rule making notice prepared
21 pursuant to this article to the governor, the temporary president of the
22 senate, the speaker of the assembly, THE MINORITY LEADER OF THE SENATE,
23 THE MINORITY LEADER OF THE ASSEMBLY, the administrative regulations
24 review commission and the office of regulatory and management assistance
25 at the time such notice is submitted to the secretary of state for
26 publication in the state register. Such transmittal shall include the
27 complete rule text, regulatory impact statement, regulatory flexibility
28 analysis, rural area flexibility analysis, or revisions thereof, and any
29 other information submitted to the secretary of state pursuant to this
30 article.

31 S 5. This act shall take effect immediately.