

5458

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. TITUS, CLARK, JOHN, MILLMAN, ESPAILLAT, LAVINE, TOWNS, CARROZZA, PERRY, PAULIN, MAISEL, MORELLE, P. RIVERA, FIELDS, COOK, SCHROEDER, ROBINSON, POWELL, PEOPLES, CHRISTENSEN, DESTITO, HYER-SPENCER, BARRON -- Multi-Sponsored by -- M. of A. ALFANO, BING, BOYLAND, BRENNAN, COLTON, DelMONTE, GALEF, GUNTHER, HEASTIE, NOLAN, PHEFFER, J. RIVERA, SWEENEY -- read once and referred to the Committee on Small Business

AN ACT to amend the executive law, in relation to creating regional minority and women-owned business enterprise advocate

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

1 Section 1. Section 310 of the executive law is amended by adding a new
2 subdivision 18 to read as follows:

3 18. "REGIONAL ADVOCATE" SHALL MEAN THE PERSON APPOINTED BY THE STATE-
4 WIDE ADVOCATE TO SERVE IN THE CAPACITY OF MINORITY AND WOMEN-OWNED BUSI-
5 NESS ENTERPRISE REGIONAL ADVOCATE.

6 S 2. Subdivision 2 of section 311-a of the executive law, as added by
7 section 4 of part BB of chapter 59 of the laws of 2006, is amended to
8 read as follows:

9 2. The advocate shall act as a liaison for minority and women-owned
10 business enterprises (MWBES) to assist them in obtaining technical,
11 managerial, financial and other business assistance for certified busi-
12 nesses and applicants. The advocate shall investigate complaints brought
13 by or on behalf of MWBEs concerning certification delays and instances
14 of violations of law by state agencies. The statewide advocate shall
15 assist certified businesses and applicants in the certification process,
16 DIRECT REGIONAL LOCAL ADVOCATES IN DEVELOPING EDUCATIONAL OUTREACH
17 PROGRAMS AND CREATE AWARENESS OF COMPETITIVE GRANT PROGRAMS. Other
18 functions of the statewide advocate shall be directed by the commission-
19 er. The advocate may request and the director may appoint staff and

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

1 employees of the division of minority and women business development to
2 support the administration of the office of the statewide advocate.

3 S 3. The executive law is amended by adding a new section 311-b to
4 read as follows:

5 S 311-B. MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE REGIONAL ADVOCATE.
6 CATES. 1. REGIONAL ADVOCATE. THERE IS HEREBY ESTABLISHED WITHIN EACH OF
7 THE REGIONAL OFFICES ESTABLISHED PURSUANT TO ARTICLE ELEVEN OF THE
8 ECONOMIC DEVELOPMENT LAW AN OFFICE OF THE MINORITY AND WOMEN-OWNED BUSI-
9 NESS ENTERPRISE REGIONAL ADVOCATE.

10 2. POWERS AND DUTIES. THE REGIONAL ADVOCATES SHALL:

11 (A) PROVIDE TECHNICAL, MANAGERIAL, FINANCIAL AND OTHER BUSINESS
12 ASSISTANCE TO CERTIFIED MINORITY AND WOMEN BUSINESSES OR APPLICANTS;

13 (B) CONDUCT OUTREACH PROGRAMS FOR MWBES ON A BI-ANNUAL BASIS;

14 (C) CONDUCT EDUCATIONAL SEMINARS FOR STATE AGENCIES ON AN ANNUAL
15 BASIS; AND

16 (D) SHALL BE RESPONSIBLE FOR REPORTING THE NUMBER AND CERTIFICATION
17 APPLICATIONS RECEIVED AND PROCESSED BY ITS REGION.

18 3. THE REGIONAL ADVOCATE SHALL DOCUMENT REASONS FOR ANY DENIALS OR
19 DELAYS IN THE CERTIFICATION PROCESS. REGIONAL ADVOCATES SHALL REPORT TO
20 THE STATEWIDE ADVOCATE AND DIRECTOR BY SEPTEMBER THIRTIETH ON AN ANNUAL
21 BASIS OF RECOMMENDATIONS TO THE STATE CERTIFICATION PROCESS, OUTREACH
22 EFFORTS AND COMPLAINTS RECEIVED OR RESOLVED.

23 S 4. This act shall take effect on the one hundred eightieth day after
24 it shall have become a law; provided, however, that the amendments to
25 article 15-A of the executive law made by this act shall not affect the
26 expiration of such article and shall expire therewith.