S T A T E O F N E W Y O R K

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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:

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

18. "REGIONAL ADVOCATE" SHALL MEAN THE PERSON APPOINTED BY THE STATEWIDE ADVOCATE TO SERVE IN THE CAPACITY OF MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE REGIONAL ADVOCATE.

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

2. The advocate shall act as a liaison for minority and women-owned business enterprises (MWBEs) to assist them in obtaining technical, managerial, financial and other business assistance for certified businesses and applicants. The advocate shall investigate complaints brought by or on behalf of MWBEs concerning certification delays and instances of violations of law by state agencies. The statewide advocate shall assist certified businesses and applicants in the certification process, DIRECT REGIONAL LOCAL ADVOCATES IN DEVELOPING EDUCATIONAL OUTREACH PROGRAMS AND CREATE AWARENESS OF COMPETITIVE GRANT PROGRAMS. Other functions of the statewide advocate shall be directed by the commissioner. 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.

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

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

S 311-B. MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE REGIONAL ADVOCATES. 1. REGIONAL ADVOCATE. THERE IS HEREBY ESTABLISHED WITHIN EACH OF THE REGIONAL OFFICES ESTABLISHED PURSUANT TO ARTICLE ELEVEN OF THE ECONOMIC DEVELOPMENT LAW AN OFFICE OF THE MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE REGIONAL ADVOCATE.

2. POWERS AND DUTIES. THE REGIONAL ADVOCATES SHALL:

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

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

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

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

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

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