

2779

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. CROUCH, KOLB, BURLING, FINCH -- read once and referred to the Committee on Small Business

AN ACT to amend the economic development law, in relation to directing the department of economic development to study the attrition of small retail businesses from the state and create a pilot program to help maintain the existence of small businesses within the state and to train and counsel small business owners and potential small business owners; and making an appropriation therefor

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

1 Section 1. Legislative findings. The legislature finds that the number
2 of small businesses located within the boundaries of the state is
3 decreasing at a rapid pace. In today's market place, the small business
4 owner struggles to compete with the large corporate chain stores. The
5 legislature further finds that the existence of these small businesses
6 within the state is crucial toward the strengthening of the state's
7 economy. Therefore, it is imperative that steps be taken to help ensure
8 the future existence and stability of these small businesses.
9 S 2. The department of economic development is hereby directed to
10 conduct a comprehensive study relating to the ability to retain small
11 retail businesses within the state and is further directed to make
12 recommendations in accordance with its findings. Such study shall
13 include, but not be limited to:
14 1. The economic feasibility to grant money to communities to establish
15 small retail business retention and development plans.
16 2. The possibility of subsidizing, either in whole or in part, retail
17 entrepreneur education programs for small business owners throughout the
18 state.
19 3. The use of tax credits, both income and property, for small retail
20 business owners to lessen their financial burden and to help them
21 compete with the highly funded corporation.

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

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1 4. The possibility of implementing legislation guaranteeing loans to
2 small retail business owners at a low, fixed interest rate.

3 5. The economic feasibility to grant money to small retail business
4 owners for the upgrade of certain equipment.

5 6. The ability to create a small business incentive program. Such
6 program would:

7 a. require small retail business owners participating in the program
8 to commit to a five year program consisting of entrepreneur education
9 classes, management training, and consultations with financial advisors.

10 b. be devised so as to create incentives for banking institutions to
11 participate in the growth and production of new and existing small
12 retail businesses.

13 S 3. A report of the findings of such study, recommendations, and any
14 proposed legislation necessary to implement such recommendations shall
15 be filed with the governor, the temporary president of the senate, and
16 the speaker of the assembly within one year after the effective date of
17 this act.

18 S 4. The economic development law is amended by adding a new section
19 139 to read as follows:

20 S 139. SMALL BUSINESS OWNER AND POTENTIAL SMALL BUSINESS OWNER TRAIN-
21 ING PILOT PROGRAM. 1. THE COMMISSIONER IS HEREBY AUTHORIZED AND DIRECTED
22 TO ESTABLISH A SMALL BUSINESS OWNER AND POTENTIAL SMALL BUSINESS OWNER
23 TRAINING PROGRAM WITHIN NEW YORK STATE. THE PURPOSE OF THE PILOT PROGRAM
24 IS TO PREVENT THE DEMISE OF SMALL RETAIL BUSINESSES WITHIN THE STATE.
25 THIS PILOT PROGRAM SEEKS TO PROMOTE THE GROWTH OF SMALL RETAIL BUSI-
26 NESSES BY ENCOURAGING STATE AND LOCAL CHAMBERS OF COMMERCE AND OTHER
27 LOCAL BUSINESS PROMOTING ENTITIES TO CREATE SMALL RETAIL BUSINESS TRAIN-
28 ING AND COUNSEL TO PROSPECTIVE BUSINESS OWNERS.

29 THE COMMISSIONER SHALL PROMULGATE REGULATIONS AND REQUIREMENTS FOR THE
30 ESTABLISHMENT OF A SMALL BUSINESS OWNER AND POTENTIAL SMALL BUSINESS
31 OWNER TRAINING PROGRAM. A CHAMBER OF COMMERCE OR ANY OTHER LOCAL BUSI-
32 NESS PROMOTING ENTITY INTERESTED IN PARTICIPATING IN THIS PILOT PROGRAM
33 SHALL SUBMIT A PROPOSAL FOR APPROVAL BY THE COMMISSIONER WHICH
34 DESCRIBES:

35 A. THE SPECIFIC SMALL BUSINESS POPULATION TO BE SERVED;

36 B. THE MANNER IN WHICH SUCH SMALL BUSINESSES WILL BE IDENTIFIED;

37 C. THE SPECIFIC SMALL RETAIL BUSINESS TRAINING AND COUNSEL TO BUSINESS
38 OWNERS AND PROSPECTIVE BUSINESS OWNERS TO BE PROVIDED;

39 D. THE MANNER IN WHICH SUCH SMALL RETAIL BUSINESS TRAINING AND COUNSEL
40 TO BUSINESS OWNERS AND PROSPECTIVE BUSINESS OWNERS SHALL BE PROVIDED;

41 E. ALL ASSOCIATED COSTS;

42 F. THE EXPECTED BENEFITS OF THE TRAINING PROGRAM;

43 G. THE METHOD TO BE UTILIZED TO MEASURE THE EFFECTIVENESS OF THE
44 TRAINING PROGRAM; AND

45 H. SUCH OTHER INFORMATION AS THE COMMISSIONER MAY DEEM NECESSARY TO
46 ASSURE THE SUCCESS OF THE SMALL BUSINESS OWNER AND POTENTIAL SMALL BUSI-
47 NESS OWNER TRAINING PILOT PROGRAM.

48 2. APPROVAL AND TERMS OF SPONSORS AND SMALL BUSINESS OWNER AND POTEN-
49 TIAL SMALL BUSINESS OWNER PROGRAMS. THE WRITTEN APPROVAL OF A SPONSOR'S
50 APPLICATION BY THE COMMISSIONER SHALL CONSTITUTE AUTHORIZATION TO A
51 SPONSOR TO COMMENCE A SMALL BUSINESS OWNER AND POTENTIAL SMALL BUSINESS
52 OWNER PROGRAM.

53 SUCH AUTHORIZATION SHALL BE IN EFFECT FOR THREE YEARS, ABSENT REVOCATION
54 OR EXTENSION BY THE COMMISSIONER.

55 3. REPORTING AND EVALUATION OF THE PROGRAM. ON OR BEFORE EACH ONE YEAR
56 ANNIVERSARY OF THE PILOT PROGRAM'S INCEPTION, THE COMMISSIONER SHALL

1 SUBMIT A REPORT TO THE GOVERNOR AND THE LEGISLATURE CONCERNING THE
2 PROGRAMS ESTABLISHED IN THIS SECTION AND SHALL PROVIDE AN EVALUATION AS
3 TO THE EFFECTIVENESS OF THE PILOT PROGRAM IN MEETING THE PURPOSES FOR
4 WHICH IT WAS ESTABLISHED. SUCH REPORT SHALL ALSO RECOMMEND WHETHER THE
5 PILOT PROGRAM SHOULD BE EXPANDED TO ADDITIONAL LOCATIONS IN THE STATE
6 AND SHALL ESTIMATE THE FINANCIAL COST OF ANY SUCH EXPANSION.
7 S 5. The sum of two hundred ten thousand dollars (\$210,000), or so
8 much thereof as may be necessary, is hereby appropriated to the depart-
9 ment of economic development from any moneys in the state treasury in
10 the general fund not otherwise appropriated for services and expenses;
11 including the expenses of the department of economic development, for
12 the purposes of carrying out the provisions of this act. Such sum shall
13 be payable on the audit and warrant of the state comptroller on vouchers
14 certified or approved by the commissioner of economic development, or
15 his duly designated representative in the manner provided by law. Not
16 more than fifteen percent of the monies hereby appropriated may be
17 expended for the costs of the department of economic development.
18 S 6. This act shall take effect immediately.