

3451

2015-2016 Regular Sessions

I N A S S E M B L Y

January 22, 2015

Introduced by M. of A. SCARBOROUGH, LUPARDO, COLTON, COOK, WEPRIN,  
ROBINSON -- read once and referred to the Committee on Small Business

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

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

1 Section 1. Subdivisions 7, 8, 9, 10, 11 and 12 of section 134 of the  
2 economic development law, subdivision 7 as added by chapter 547 of the  
3 laws of 1976, subdivision 8 as amended and subdivision 11 as added by  
4 chapter 361 of the laws of 2009, subdivision 9 as amended by chapter 490  
5 of the laws of 1993, subdivision 10 as added by chapter 543 of the laws  
6 of 2002 and subdivision 12 as amended by chapter 16 of the laws of 2014,  
7 are amended to read as follows:  
8 7. review pending legislation affecting small-businesses and report  
9 its findings to the commissioner; [and]  
10 8. initiate and encourage small-business education programs in general  
11 and to coordinate with the functions of the office of general services  
12 an information and outreach program directed toward informing small-bu-  
13 sinesses in the state of procedures necessary for competing for state  
14 purchases and to coordinate with the functions of every state agency,  
15 department or authority described in section one hundred thirty-nine-g  
16 of the state finance law, pursuant to subdivision (b) of section one  
17 hundred thirty-nine-g of the state finance law, an information and  
18 outreach program directed toward informing small-businesses in the state  
19 of procedures necessary for competing for state contracts, including  
20 without limitation educating small contractors about surety bonding  
21 requirements on state contracts, and identifying resources available to  
22 such contractors in obtaining their first bond and in increasing their

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

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1 bonding capacity, including but not limited to the federal small busi-  
2 ness administration bond guarantee program[.] ;

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

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

22 [10.] 11. conduct a survey of all business incubators in the state and  
23 assess the need for additional incubator facilities to nurture the  
24 growth and development of small businesses[.] ;

25 [11.] 12. provide assistance to small business in the state, and  
26 facilitate access to programs serving small business, to ensure that  
27 such businesses benefit, as needed, from technical, managerial, finan-  
28 cial, and general business assistance; training; marketing; organization  
29 and personnel skill development; project management assistance; technol-  
30 ogy assistance; bond and insurance education assistance; and other busi-  
31 ness development assistance. In addition, either independently or in  
32 conjunction with other state agencies:

33 (a) develop a clearinghouse of information on programs and services  
34 provided by entities that may assist such businesses; and

35 (b) seek to maximize utilization by small businesses of available  
36 federal resources including but not limited to federal grants, loans,  
37 loan guarantees, surety bonding guarantees, technical assistance, and  
38 programs and services of the federal small business administration[.] ;  
39 AND

40 [12.] 13. compile an annual report on the state of small businesses,  
41 particularly those with twenty-five employees or less which shall be  
42 known as micro-businesses under this subdivision. The commissioner  
43 shall, on or before June first, two thousand fourteen and annually ther-  
44 eafter, submit to the governor, the temporary president of the senate  
45 and the speaker of the assembly a report that shall include, but not be  
46 limited to, the following information for each calendar year:

47 (a) the growth and economic trends of small businesses which may be  
48 categorized by various small business sizes and/or sectors;

49 (b) an analysis of relevant and available employment, statistical and  
50 economic data of the various small business sectors throughout New York  
51 state, which may be categorized by various small business sizes;

52 (c) suggestions to improve the efficiency of existing loan programs;

53 (d) suggestions to improve small business growth;

54 (e) statistical and economic analysis of the state of small businesses  
55 by various small business sizes and/or sectors; and

1 (f) identification and review of the local and state regulations,  
2 fines and penalties particular to small businesses which may be categor-  
3 ized by various small business sizes and/or sectors.

4 The division shall collaborate with other state and local agencies to  
5 develop the annual report. The office shall maintain and publish such  
6 information on the small business directory webpage in a manner that  
7 allows individuals to search the report by name, date, or type of  
8 statistics. The format of the annual report shall be developed in  
9 consultation with various small business owners to ensure the informa-  
10 tion collected, analyzed, and published for the purposes of this subdi-  
11 vision is representative of all small businesses in the state.

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

15 S 16-X. MAIN STREET CENTER GRANT PROGRAM. 1. THE CORPORATION SHALL  
16 ADMINISTER A STATEWIDE PROGRAM TO CREATE MAIN STREET CENTERS IN EACH OF  
17 THE COUNTIES IN NEW YORK STATE, WITH THE EXCEPTION OF THE FIVE BOROUGHES  
18 OF NEW YORK CITY.

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

24 3. EACH CENTER SHALL HOUSE A COMPREHENSIVE LIBRARY OF MAIN STREET  
25 PUBLICATIONS AVAILABLE TO BE LOANED.

26 4. EACH CENTER SHALL DEVELOP A CENTRAL DATABASE OF ALL STATE AND  
27 FEDERAL GRANT RESOURCES. THE CORPORATION SHALL ASSIST LOCALITIES IN  
28 IDENTIFYING POTENTIAL SOURCES OF FUNDING AND PROVIDE TECHNICAL ASSIST-  
29 ANCE REGARDING GRANT PROCUREMENT.

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

34 S 3. The executive law is amended by adding two new sections 102-a and  
35 149-a to read as follows:

36 S 102-A. RULE-MAKING DOCUMENTS SUBMITTED TO THE SECRETARY OF STATE. 1.  
37 ON OR AFTER JANUARY FIRST, TWO THOUSAND FIFTEEN, ALL RULE-MAKING DOCU-  
38 MENTS SHALL BE SUBMITTED TO THE SECRETARY OF STATE IN ELECTRONIC FORMAT.  
39 THE SECRETARY OF STATE SHALL MAKE SUCH DOCUMENTS AVAILABLE WITHOUT  
40 CHARGE TO THE PUBLIC ELECTRONICALLY, AND SHALL DISSEMINATE SUCH DOCU-  
41 MENTS WITHOUT CHARGE TO INTERESTED PARTIES BY VARIOUS MEANS, INCLUDING  
42 AT A MINIMUM THROUGH ONE OR MORE ELECTRONIC MAILING LISTS, RSS FEEDS,  
43 AND ANY OTHER TECHNOLOGIES DETERMINED BY THE SECRETARY TO BE EFFECTIVE  
44 IN PROVIDING TIMELY AND EFFECTIVE ACCESS TO RULE-MAKING INFORMATION. AT  
45 LEAST ONE SUCH MEANS SHALL UTILIZE A RULES TRACKER PROGRAM OR SIMILAR  
46 PROGRAM THAT ENABLES A USER TO CUSTOMIZE THE RULE-MAKING INFORMATION  
47 THAT WILL BE PROVIDED.

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

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

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

1 S 4. Paragraph (a) of subdivision 6-a of section 202 of the state  
2 administrative procedure act, as amended by chapter 171 of the laws of  
3 1994, is amended to read as follows:

4 (a) An agency shall transmit a copy of any rule making notice prepared  
5 pursuant to this article to the governor, the temporary president of the  
6 senate, the speaker of the assembly, THE MINORITY LEADER OF THE SENATE,  
7 THE MINORITY LEADER OF THE ASSEMBLY, the administrative regulations  
8 review commission and the office of regulatory and management assistance  
9 at the time such notice is submitted to the secretary of state for  
10 publication in the state register. Such transmittal shall include the  
11 complete rule text, regulatory impact statement, regulatory flexibility  
12 analysis, rural area flexibility analysis, or revisions thereof, and any  
13 other information submitted to the secretary of state pursuant to this  
14 article.

15 S 5. This act shall take effect immediately.