§ 3154. Regional partnership program. 1. Establishment and purpose. There is established a program in the foundation to be known as the regional partnership program. The program shall provide regional economic assistance to certified partnerships for the purpose of carrying out the purposes pursuant to this section and section thirty-one hundred fifty-three of this title.

2. Duties of regional partnerships. The regional partnerships shall work individually and in coordination with the technology development organizations established pursuant to section thirty-one hundred two-d of this article, and with other partnerships to advance economic growth and business creation and expansion in the state. The program shall provide regional economic assistance to certified partnerships for the purpose of carrying out the purposes pursuant to this section and section thirty-one hundred fifty-three of this title.

3. Certification. (a) Partnerships shall be comprised of local economic development organizations and, to the extent they are present in the region, centers of excellence as defined by section three of part T of chapter eighty-four of the laws of two thousand two or in the absence of such center in the region, at least one institution of higher education involved in commercialization efforts similar to such centers of excellence. To obtain certification for the purposes of carrying out the programs of the foundation, regional partnerships shall include broad representation of the economic development and innovation community in the region, including but not limited to, community colleges, university or nonprofit research institutions, private industry representatives, commercial lending institutions, venture capital firms and workforce development organizations. Before any partnership is certified by the foundation, the foundation shall approve written guidelines for the program and shall provide a copy of the guidelines to the temporary president of the senate and the speaker of the assembly.

(b) Within thirty days of the appointment of the majority of the thirteen voting members of the board, the board shall identify and review the necessary criteria that shall be demonstrated for a partnership to successfully fulfill the duties specified in subdivision

six of this section.

(c) Within thirty days following the foundation's identification of criteria for partnerships, a comprehensive request for proposals for each of the economic development regions of the state shall be issued by the foundation that incorporates such criteria and may request any and all information deemed necessary by the foundation to certify the partnerships.

(d) The foundation shall have ninety days to conduct a comprehensive review of all proposed plans and partnerships. After such review, the foundation shall select and certify regional partnerships and approve plans by a two-thirds majority vote of the board.

(e) The foundation shall certify one partnership to represent each of ten economic development regions established by the New York state department of economic development pursuant to section two hundred thirty of the economic development law. The foundation shall certify a regional partnership that meets the criteria and the requirements as set forth in subdivision four of this section, provided that there is a regional partnership that represents each region specified in this section, provided further that the foundation determines that an application has been received from each region that is sufficient to accomplish the purposes of this section.

(f) The foundation shall modify or revoke a partnership's certification consistent with the regulations, policies and guidelines of the foundation. The foundation may change the number of regions or regional boundaries with a two-thirds majority vote of the board.

(g) The length of certification for each such partnership, subject to the foundation's authority to revoke or modify a partner's certification, shall be for a period of five years, beginning no later than March thirty-first, two thousand six.

4. Application. A partnership may apply to the foundation to be certified as a regional partnership. Each partnership shall have sixty days to prepare and submit an application prepared by the foundation from the date of the issuance of such request for proposals. All applications must be on the form required by the foundation and include and demonstrate all of the following:

(a) the coordinator's name and address;

(b) a statement that the applicant is a partnership and the identity of its members;

(c) a copy of a written strategic plan adopted by the partnership describing the targeted industry segments which the partnership shall foster;

(d) a formal statement of cooperation from each partner confirming the contributions, financial and other, and responsibilities of each member;

(e) identification of programs and funds which are appropriate to the implementation of its regional strategy;

(f) identification of the efforts to leverage other sources of public and private funding in its proposal;

(g) identification of the level of financial expertise of the partnerships;

(h) an organizational chart;

(i) identification of the resources of the partnership;

(j) a comprehensive plan for its strategy to promote program implementation within the designated geographic region; and

(k) any other information required by the foundation.

5. Review and designation. The foundation shall review the applications. Upon being satisfied that all requirements have been met, the foundation may approve an application. If the foundation approves an application, the foundation shall accept the organization designated as the coordinator for the regional partnership programs.

6. Continuation of certification. To continue to be certified, a partnership shall perform the following duties which shall include, but not be limited to:

(a) Serve as a regional partner in identifying, developing, adapting and implementing advanced technologies and innovative strategies to enable the growth and competitiveness of existing and emerging companies through process improvement, technology development, commercialization and production.

(b) Promote collaborations, programs and initiatives by and among the foundation, technology enterprises, economic development organizations, the corporate community, academic research institutions, government, workforce development organizations and other interests working

collectively to advance economic growth, including activities to ensure the availability of venture capital within the region including contract services in conjunction with the foundation pursuant to section thirty-one hundred fifty-two of this title. Each partnership should stress the use of information technology as a necessary means to link such entities together in a cohesive and effective manner.

(c) Provide and serve as a conduit to, capital for existing and emerging companies involved in the development, commercialization, and production of innovative products and processes.

(d) Develop and provide support to business incubation facilities and encourage the development of technology business in or near research academic institutions.

(e) Each partnership shall encourage business mentoring opportunities, to emerging companies in order to provide resources and industry knowledge to create opportunities for growth.

7. Certification review. Not less than one hundred eighty days prior to the expiration of a partnership's certification the foundation board shall conduct a comprehensive review of the partnership's performance over the entire period of time for which the partnership was certified as such by the foundation. The review shall primarily be based on those annual reviews conducted by the foundation as authorized by this subdivision. Should the foundation deem the partnership's performance to be satisfactory it shall, by two-thirds vote of the thirteen voting members of the state board, re-certify the regional partnership as a regional partnership for a period of five years, provided such period begin on the day that the previous certification has expired. Provided, however, should the foundation board rule that a partnership's performance has not been satisfactory, or if two-thirds of the voting members of the foundation board do not support such partnership's re-certification, the foundation board shall issue a new request for proposals for a new regional partnership provided that such request for proposals shall be issued no later than thirty days after the foundation board declined to re-certify the partnership. Those partnerships that choose to submit an application for certification as a new regional partnership in response to the request for proposals issued by the foundation board shall have sixty days to prepare and submit an

application from the date of the issuance of such request for proposals. The foundation board shall have forty-five days to conduct a comprehensive review of all applications for certification as a regional partnership. After a review of the applications, the foundation board shall select and certify a new partnership for all those regions for which a new request for proposals were issued.

8. Regional coordinator. Each partnership shall designate from its members a single, non-profit organization to coordinate program development and implementation, and to act as administrative entity for the partnership programs. Such non-profit organization, or its staff, shall have demonstrated experience with state and federal contracting procedures.

9. Records. Upon request, a partnership must authorize employees or agents of the foundation to inspect its books and records during regular business hours.

10. Foundation fund. (a) Establish fund and programs. There is hereby created a fund within the foundation to be known as the foundation fund for the purposes of: (i) providing financial assistance in the form of grants, loans, equity investments or a combination thereof to companies for purposes which may include, but not be limited to, commercialization of innovative products and processes for emerging technology sectors, including biotechnology, nanotechnology, bioinformatics, software design, innovative energy efficiencies and environmental technologies and other technologies; (ii) providing financial assistance in the form of grants, loans or a combination thereof to small emerging companies for the purposes of: (A) offsetting the small emerging companies' costs associated with accessing advanced telecommunications services and technologies, provided, however, that such small emerging companies or their affiliates shall not be in the business of offering telecommunications services and technologies; (B) offsetting the small emerging companies' costs associated with implementing energy efficiency or pollution prevention projects; (iii) providing grants to facilities that are equipped with high-technology resources appropriate to different technology sectors, including biotechnology, nanotechnology,

bioinformatics, software design, innovative energy and environmental technologies and other advanced technologies, for lab-based commercialization enhancement and pre-venture product and business development and working capital support, such as to various sectors particularly those that partner with university based research institutions; and (iv) providing financial assistance in the form of grants, loans or a combination thereof to businesses and facility projects that incorporate innovative products and processes into traditional economic activities, including but not limited to agriculture, manufacturing, services and tourism. A certified partnership shall be eligible to apply for assistance under any of the programs established in this section.

(b) Programs. (i) The technology enhancement program will provide grants for lab-based commercialization enhancement and pre-venture product and business development.

(ii) The innovation investment program shall provide financing to facilities for early-stage companies or companies that demonstrate a high potential for growth and innovation, as defined and specified by the foundation. Innovation investment fund awards may take the form of grants, equity investments, or loans or a combination thereof, provided that the fund serves to promote the growth of small technology-intensive or otherwise innovative businesses in the state of New York. Innovation investment fund grants, equity investments or loans shall be in amounts equal to or greater than twenty-five thousand dollars but shall not exceed two hundred fifty thousand dollars.

(iii) The emerging investment program shall take the form of grants, equity investments, or loans or a combination thereof, to businesses in the stage of product development, as defined and specified by the foundation. Emerging investment fund investments or loans shall be greater than two hundred fifty thousand dollars but shall not exceed seven hundred fifty thousand dollars. Businesses eligible to receive investments from the emerging investment fund shall meet such targets pursuant to foundation guidelines that demonstrate sufficient potential to bring a technology-intensive or otherwise innovative product or process to market and become a profitable employer located in the state of New York.

(iv) The business acceleration program shall provide financing in the

form of grants, equity investments, or loans or a combination thereof, to revenue-generating technology-intensive or otherwise innovative businesses, as defined and specified by the foundation, in order to accelerate their expansion towards profitability. Business acceleration fund grants, equity investments or loans shall be greater than seven hundred fifty thousand dollars but shall not exceed one million dollars. Eligible businesses shall demonstrate, pursuant to foundation guidelines, their ability to become profitable and expand their employment in the state of New York.

(v) The New York Phase I federal small business innovation research program may award grants to recipients conducting research that may result in the development of an innovative technology having the potential to lead to the commercialization or fabrication within New York of new or improved products, processes, or services for the continuation of such research under the contract awarded by the federal agency not to exceed the amount of the federal award or fifty thousand dollars, whichever is less.

(c) The community colleges/academic research institutions curriculum alignment program which shall provide assistance for alignment of SUNY and CUNY community colleges with high-technology industry clusters and academic research institutions through the development of specialized curricula which meets the needs of emerging businesses for technical and other skilled workers.

(d) The New York Science, Technology, Engineering and Math (STEM) program may foster student interest in scientific and technical careers and may include support for summer science and math camps, internships and mentoring opportunities, and support opportunities for professional development for teachers in the areas of science, mathematics, and engineering.

(e) The management and technical assistance program may provide support for regional activities which include industry associations, angel investor networks, entrepreneurial networks, regional business plan competitions and other related activities.

(f) The manufacturing assistance program may provide support for flexible manufacturing networks, niche market development, productivity and energy efficiency assessments and skills training.

(g) The regional marketing and export assistance program may provide

support for regional activities including marketing cooperatives and branding initiatives.

11. Reporting requirements. Each partnership shall annually submit the following information to the foundation and to the temporary president of the senate and the speaker of the assembly:

(a) the designated coordinator's current contact information;

(b) a copy of the regional partnerships' current statement of cooperation that defines roles, responsibilities, contributions, financial and otherwise, of the partnerships;

(c) a list of the partnership's current officers and directors;

(d) an independent audit covering all funds received from the state;

(e) upon request, an independent audit covering all funds received and activities supported by non-state sources; and

(f) all other information that the foundation may require.

12. Urban development corporation proposals. (a) Upon certification pursuant to subdivision three of this section, each regional partnership may submit to the urban development corporation a proposal on how the regional partnership shall provide economic development assistance, pursuant to sections sixteen-h and sixteen-m of section one of the New York state urban development corporation act.