



MWBE Coalition Celebrates the Passage and Signing of Historic New York State Minority- and Women-Owned Business Legislation

Legislation Represents the Most Progressive MWBE Policy Framework in the Country

New York, NY, July 15, 2010 -- Today, the Minority & Women Business Enterprise (MWBE) Coalition, a broad, statewide group of community leaders, business owners, trade associations, nonprofits, and concerned citizens, celebrates the New York State Legislature's passage and Governor Paterson's signing of historic New York State MWBE legislation. The legislative reform gives New York State arguably the most progressive MWBE policy framework in the country and provides greater economic opportunities for MWBEs across the state.

The legislation helps to establish a level playing field for the minority and women-owned business enterprises, while also encouraging MWBE participation in the management of assets held by state fiduciary-controlled entities.

"Today is a historic day for social and economic justice. The signing of the bill is the next step in the journey for civil rights and economic justice," said State Senator Ruth Hassell-Thompson (D-Mount Vernon), Chairwoman of the Black, Puerto Rican, Hispanic, Asian Legislative Caucus. "I am very thankful to Governor Paterson, Assembly Speaker Sheldon Silver, and Senate Majority Conference Leader John Sampson, who gave me the freedom to do what I needed in order to execute my role in what happened today."

The following MWBE bills were signed into law today:

- Governor's Program Bill No. 297 (S.8312/ A.11525): Raises the cap on discretionary purchases that a state agency can award to MWBEs or small businesses from \$100,000 to \$200,000, subject to the agency's internal controls.
- Governor's Program Bill No. 298 (S.8313/ A.11526): Expands the contracting practices of public authorities to grant increased opportunities for MWBE participation. Additionally, the bill requires that the procurement guidelines for each state public authority include the designation of one or more senior staff to oversee the authority's MWBE program. The bill also requires the authority to conduct procurements so as to achieve the authority's MWBE goals to the maximum feasible extent.
- Governor's Program Bill No. 299 (S.8314/A.11527): Expands and strengthens the state's program for MWBE contracting and authorizes a new disparity study, including of contractors' hiring and promotional practices. The bill will also create the position of Chief Diversity Officer

to oversee the MWBE program and diversity issues in the workforce from within the Executive Chamber.

- Emerging Investment Managers Bill (S.6888/ A.9976): Addresses entities that are not executive agencies, and that control large pools of money for investment: the Comptroller, the State Insurance Fund and the Deferred Compensation Board. The bill will provide emerging investment managers the ability to invest with MWBE financial institutions and to adopt a strategy that motivates investments in underserved regions of the state.

“The signing of the MWBE legislation is a landmark moment in New York State history,” said Seth Bryant, Managing Partner, Bryant Burgher Jaffe & Roberts LLP and co-Chair, Minority & Women Business Enterprise Coalition. “The bills will not only expand access to capital and opportunity for minority- and women-owned businesses, but will also help to jumpstart the state’s economic engine. We applaud Governor David Paterson, the leadership of Senate Majority Conference Leader John L. Sampson and Assembly Speaker Sheldon Silver, Comptroller Tom DiNapoli, the New York State Legislature, the members of the MWBE Coalition, and all the women and men who worked tirelessly to ensure that these bills became law.”

The four bills address MWBE disparities in government contracting that were outlined in a comprehensive multi-year study and report commissioned by the New York State Department of Economic Development and released in April 2010, “The State of Minority and Woman Owned Business Enterprise: Evidence from NY.”

“The heightened participation by minority and women business enterprises is completely critical to the economic viability of New York State,” said Sandra Wilkin, President of the Women Builders Council, a member of the MWBE coalition. “This new legislation action will help to break the concrete ceiling confronting women in the construction industry.”

In June 2008, Governor Paterson convened the MWBE Task Force to increase the utilization of Minority and Women-Owned Business Enterprises. In March 2010, following a thorough examination of State procurement processes, the Task Force delivered a series of recommendations designed to provide MWBEs with an opportunity to compete for contracts.

Added James Heyliger, President of the Association of Minority Enterprises of New York, Inc. (AMENY), “This day means everything to my constituents as AMENY has fought for MWBEs and aimed to be thoughtful partners in advocacy since Article 15a was introduced by Gov. Mario Cuomo. What was missing from the initial article was compliance, enforcement and a broad scope, but now we’re proud to say that these bills signed today cover all of that and more.”

MWBEs historically have had greater difficulty accessing capital and economic opportunities, which significantly limits the state’s economic engine by cutting out a huge portion of productive businesses. However, they have consistently created jobs, even in tough economic times. Increasing access to capital and opportunities for MWBEs provides necessary support for businesses; creates new jobs; invigorates communities; leads to greater innovation and competitiveness; and stimulates local, regional and national economies.

“Hispanics have had challenges with MWBE procurement over the years as they struggled to gain access. However, thanks to Governor Paterson, the State Legislators, the MWBE Coalition, the Council of Urban Professionals, and AMENY advocating for our constituents, this is a great day for all 25 chambers from Albany to the Bronx to Long Island. Now it is up to the state, and us as advocates, to act as one,” said Frank Garcia, Chairman, Hispanic Chamber of Commerce.

The MWBE Coalition has rallied in support for legislative reform and organized the state’s largest-ever MWBE Awareness Day on March 2, 2010, which brought more than 150 coalition partners and members to the state capitol to push for legislative reform measures.

“The MWBE bills are significant because they are bringing liberty and reinforcing the State’s commitment to minorities,” said Reginald Swiney, CEO and CFO, R.S. Painting Co. Inc. “Now is the time for leaders in the minority community to reinforce their commitment, have a renewed respect for one another, support each other’s businesses, and build in our communities.”

In addition to MWBE Awareness Day, the New York State Senate Majority MWBE Task Force, The New York State Black, Puerto Rican, Hispanic and Asian Legislative Caucus and the Assembly Subcommittee on Oversight of MWBEs held a public hearing on March 3rd to strengthen MWBE legislation.

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