



MEMORANDUM IN SUPPORT

S.596 (Hinchey) / A.2296 (McDonald)

AN ACT to amend the executive law, in relation to providing a rebuttable presumption relating to certification as a minority and women-owned business enterprise

The Capital Region Chamber, representing 2,600 businesses and organizations from throughout the Capital Region that employ more than 150,000 area residents, supports S.596 /A.2296, which would amend the Executive Law to provide that a rebuttable presumption exists for an MWBE's recertification if there is no change in ownership or material change in the nature or management of the MWBE.

The Capital Region Chamber completely agrees with the bill sponsors' assessment of the current MWBE program. The application process for the MWBE program - especially with respect to recertification - is far too often times arbitrary and leads to lengthy and unnecessary delays of recertification for MWBE business that have been long established. The delay in recertification has led to many of these established MWBE businesses being unofficially in limbo on whether they are certified or not which leads to a loss in opportunity and business.

By providing a rebuttable presumption, this legislation will help ensure that minority and women-owned businesses are not subjected to arbitrary state decision-making which could hurt their livelihood. The MWBE program must be beneficial to and not a barrier to business.

The Capital Region Chamber recommends the passage of this legislation.

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