

HOUSE No. 3381

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos Gonzalez

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the development of a strategy supporting micro businesses in inner city communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>	<i>1/16/2015</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>	<i>12/26/2019</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>2/4/2015</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/4/2015</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>2/4/2015</i>

HOUSE No. 3381

By Mr. Gonzalez of Springfield, a petition (accompanied by bill, House, No. 3381) of Carlos Gonzalez and others for legislation to establish the micro and minority business strategy committee to develop strategies for supporting micro businesses in inner city communities. Community Development and Small Businesses.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to the development of a strategy supporting micro businesses in inner city communities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. For the purposes of this act the following words and terms shall, except
2 where the context clearly indicates otherwise, have the following meaning:-

3 “Micro-business”, a business entity, which has its principal place of business in the
4 commonwealth, is independently owned and operated as a sole proprietorship, partnership or
5 corporation, with 20 or fewer employees in full-time positions and with a level of gross income
6 from operations defined by the MMBSC as a micro-business.

7 “Minority-business” or “Minority-owned business”, a business entity, which has its
8 principal place of business in the commonwealth, is independently owned and operated as a sole
9 proprietorship, partnership or corporation, which is beneficially owned by 1 or more minority
10 owners as defined by the MMBSC as a minority business.

SECTION 2. There is hereby created a body politic and corporate to be known as the Micro and Minority Business Strategy Committee or MMBSC. The MMBSC is hereby constituted a public instrumentality and the exercise by the MMBSC of the powers conferred by this act shall be deemed to be the performance of an essential governmental function. The MMBSC is hereby placed in the executive office of housing and community development but shall not be subject to the supervision or control of said agency or of any other board, bureau or agency of the commonwealth except as specifically provided in this act.

SECTION 3. The MMBSC shall consist of 9 members, 1 of whom shall be the secretary of housing and community development, 1 of whom shall be the assistant secretary of business development, and 1 of whom shall be the secretary of the executive office for administration and finance, or a designee. The governor shall appoint the remaining 6 members, 3 of whom shall be residents of urban or inner-city areas and micro business owners and 3 of whom shall be a representative of minority business owners. Each member appointed by the governor shall serve a term of five years, except that in making initial appointments the governor shall appoint 1 member to serve for a term of 1 year, 1 member to serve for a term of 2 years, 1 member for a term of 3 years, 2 members for a term of 4 years, and 1 member for a term of 5 years.

Any person appointed to fill a vacancy in the office of a member shall be appointed in a like manner and shall serve for the duration of the member's office.

SECTION 4. The MMBSC shall implement a micro business and minority business economic development strategy separate from small business development as a way to increase employment in the inner cities and to develop strategies to address the micro and minority business community in urban areas.

SECTION 5. The MMBSC shall have the power to:

(a) Implement a micro business and minority business economic development strategy

(b) Adopt by-laws for the regulation of its affairs and the conduct of its business.

(c) Adopt an official seal.

(d) Sue and be sued in its own name.

(e) Make and execute contracts and all other instruments necessary or convenient for the exercise of its power and functions.

(f) Acquire, hold and dispose of personal property for its corporate purposes.

(g) Enter into agreements or other transactions with any federal or state agency.

(h) Acquire real property, or an interest therein, by purchase or foreclosure, where such acquisition is necessary or appropriate to protect or secure any investment or loan in which the agency has an interest; to sell, transfer and convey any such property to a buyer and in the event of such sale, transfer or conveyance cannot be effected with reasonable promptness or at a reasonable price, to lease such property to a tenant.

(i) Invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in such investments as may be lawful for fiduciaries in the commonwealth.

(j) Borrow money by the making of notes and the issuance of bonds including tax exempt revenue bonds and secure such bonds by the pledge of revenues, mortgages and notes of others.

(k) Employ a chief executive officer of the MMBSC, and such other agents, employees, professional and business advisers as may from time to time be necessary in the judgment of the board of directors and to fix their compensation. The chief executive officer, professional advisers and business advisers shall not be subject to the provision of chapters 31 or 30.

(l) Appear in its own behalf before boards, commissions, departments or other agencies of government, municipal, state or federal.

(m) Procure insurance against any loss in connection with its property in such amounts, and from such insurers, as may be necessary or desirable.

(n) Consent, subject to the provisions of any contract with noteholders or bondholders, whenever it deems it necessary or desirable in the fulfillment of the purposes of this act, to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, or any other terms, of any mortgage, mortgage loan, mortgage loan commitment, contract or agreement of any kind to which the MMBSC is a party.

(o) Do any and all things necessary or convenient to carry out its purposes and exercise the powers expressly given and granted in this act.

(p) Receive and accept from any federal or state agency grants, loans or advances for or in aid of the purposes of this chapter and to receive and accept contributions from any source of either money, property, labor or other things of value, to be held, used and applied for said purposes.

(q) Create, issue, buy and sell stock and other capital participation instruments; to hold such stock and capital participation instruments and to underwrite the creation of a capital market

for these securities which is designed to enhance development of capital ownership in micro and minority businesses in the inner city or urban area.

(r) Provide and pay for such advisory services and technical assistance as may be necessary or desirable to carry out the purposes of this act.

(s) Exercise any other powers or rights or responsibilities of a corporation organized under the general laws.

SECTION 5. Notwithstanding any general or special law to the contrary, the state treasurer, subject to appropriation or the authorization of the issuance of bonds for this purpose, may purchase shares of the MMBSC or authorize the purchase of such shares by any entity or employee of the commonwealth. The MMBSC shall use the proceeds of any such sale to purchase capital participation instruments consistent with the purposes of this chapter or to invest the funds in any security eligible for investment under the provisions of section 38 of chapter 29; provided, that: (1) the project is within the scope of this act and may reasonably be expected to contribute to the support and growth of micro businesses and minority businesses; and (2) the project will be of public benefit and for a public purpose, and that the benefits, including increased employment and improved standard of living, shall primarily accrue to residents of the urban or inner city area served by the micro or minority business.

SECTION 6. The chief executive officer of the MMBSC created by section 2 of this act shall submit 90 days after the end of the fiscal year, to the clerk of the house of representatives and to the clerk of the senate an annual report of the MMBSC's activities.

SECTION 7. The accounts and books of the MMSBC created by section 2 of this act, including its receipts, disbursements, contracts, mortgages, investments and other matters

95 relating to its finances, operations and affairs shall be examined and audited from time to time by
96 the state auditor.

97 SECTION 8. The MMBSC shall have the power to promulgate and adopt regulations to
98 implement the purposes of this act.