

HOUSE No. 216

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos González and Evandro C. Carvalho

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:
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Chynah Tyler</i>	<i>7th Suffolk</i>

Bud Williams
Jonathan D. Zlotnik

11th Hampden
2nd Worcester

HOUSE No. 216

By Messrs. Gonzalez of Springfield and Carvalho of Boston, a petition (accompanied by bill, House, No. 216) of Carlos Gonzalez, Evandro C. Carvalho and others for legislation to establish the micro and minority business strategy committee to develop strategies for supporting micro businesses in inner city communities. Economic Development and Emerging Technologies.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3381 OF 2015-2016.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninetieth General Court
(2017-2018)**
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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.

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

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

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

29 SECTION 4. The MMBSC shall implement a micro business and minority business
30 economic development strategy separate from small business development as a way to increase

31 employment in the inner cities and to develop strategies to address the micro and minority
32 business community in urban areas.

33 SECTION 5. The MMBSC shall have the power to:

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

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

36 (c) Adopt an official seal.

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

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

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

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

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

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

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

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

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

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

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

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

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

71 (q) Create, issue, buy and sell stock and other capital participation instruments; to hold
72 such stock and capital participation instruments and to underwrite the creation of a capital market
73 for these securities which is designed to enhance development of capital ownership in micro and
74 minority businesses in the inner city or urban area.

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

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

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

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

93 SECTION 7. The accounts and books of the MMSBC created by section 2 of this act,
94 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.