

By Mr. Lemanski of Chicopee, petition of Kenneth M. Lemanski relative to veteran-owned businesses. Commerce and Labor.

*The Commonwealth of Massachusetts*

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT RELATIVE TO VETERAN-OWNED BUSINESS.

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

1 Chapter 23A of the General Laws, as appearing in the 1984  
2 Official Edition, is hereby amended by inserting at the end thereof  
3 the following: —

4 Section 46. The following words as used in section two inclu-  
5 sive, shall, unless the context requires otherwise, have the following  
6 meaning:

7 “Director”, the director of the Office of Veteran-Owned Busi-  
8 nesses.

9 “Division”, the division of small business assistance.

10 “Veteran-Owned Business”, a business where (1) a veteran or  
11 veterans own at least fifty one (51%) percent of the business; (2)  
12 authority to make policy decisions is controlled by a veteran or  
13 veterans and; (3) day to day operations of business are managed by  
14 a veteran or veterans.

15 Section 47. There shall be established within the Small Business  
16 Assistance Division of the Department of Commerce and Devel-  
17 opment an Office of Veteran’s Business Assistance (OVBA). Its  
18 purpose shall be to assist veteran-owned businesses to do business  
19 with the Commonwealth, to communicate information about all  
20 relevant economic assistance programs and services, to assist start-  
21 up and growing firms and to act as an advocate for veteran-owned  
22 businesses.

23 Section 48. OVBA shall provide technical assistance to veterans  
24 interested in beginning or expanding a veteran-owned business.

25 OVBA shall provide veterans with guidance on how to contract

26 with the commonwealth. OVBA shall also maintain a listing of and  
27 refer veterans to relevant business and contracting programs  
28 offered by other government agencies and refer veterans to such  
29 agencies.

30 There shall be established within the Office of Veterans Business  
31 Assistance a Veterans Business Resource Board. The Board shall be  
32 responsible for the establishment of laws, policies, rules, and regu-  
33 lations regarding said office and its work with veteran-owned  
34 businesses.

35 The council shall consist of 15 members appointed by the Gover-  
36 nor, and shall include one person who is a member of the Veterans  
37 Administration, one person who is a member of the Vietnam Vete-  
38 rans of Massachusetts, Inc., one person who is a member of the  
39 Disabled American Veterans Association, one person who is a  
40 member of the Massachusetts Veterans Service Agents Associa-  
41 tion, one of whom has expertise in banking, one of whom has  
42 expertise in small business, one of whom has expertise in job  
43 training and employment counselling, one of whom shall be the  
44 director of OVBA.

45 OVBA shall have a director who shall be the executive and  
46 administrative head of the office. Said director shall have charge of  
47 the administration and the enforcement of all the laws, policies,  
48 rules and regulations which are the duty of the office to enforce. The  
49 director of OVBA shall be knowledgeable in the areas of business  
50 financing and investment and government contracting, and shall be  
51 as knowledgeable about and sensitive to the special problems  
52 encountered by veteran-owned businesses. The director of OVBA  
53 shall develop liaisons and contacts with relevant financial institu-  
54 tions and prime contractors in the commonwealth, and secure and  
55 maintain the cooperation, experience and assistance of such organ-  
56 izations in implementing the policies and accomplishing the pur-  
57 pose of OVBA. Said director shall also communicate information  
58 and contract opportunities to the public, particularly to veteran  
59 owners of business enterprises.

60 OVBA shall have an Assistant Director who shall be knowledge-  
61 able in business administration and marketing in the area of  
62 veteran-owned businesses. The assistant director shall assist the  
63 director of OVBA in the administration and enforcement of all

64 policies, rules and regulations. The assistant director shall develop  
65 and engage the cooperation, expertise, and assistance of major  
66 business and industrial concerns for the purpose of implementing  
67 the intent of Sections 46 through 54.

68 Section 49. The director of OVBA shall establish and maintain a  
69 current and continuing list of veteran-owned businesses within the  
70 commonwealth and place the names of such businesses on central  
71 public listing, as well as disseminate these lists to all government  
72 agencies. All businesses on the central public listing shall be notified  
73 of the services of OVBA and be kept informed of the resources and  
74 assistance available to them. The director shall also provide a  
75 referral service to identify opportunities available to veteran-owned  
76 businesses in the commonwealth. All businesses on the central  
77 public listing shall be notified and kept updated on new listings.

78 Section 50. The director of the OVBA shall be responsible for  
79 establishing an information exchange for veteran-owned businesses  
80 for the purpose of providing assistance in identifying opportunities  
81 for veteran-owned businesses. The director shall have access to all  
82 information established by the assistant director of small business  
83 assistance as defined in section nineteen.

84 Section 51. The director of OVBA shall make available individ-  
85 ual consultation and technical assistance to any veteran-owned  
86 small business that requests this service. Such consultation and  
87 assistance may relate to, but shall not be limited to, the areas  
88 including procurement of investment capital, management, admin-  
89 istration, production, product marketing, and business expansion,  
90 renovation and diversification. Wherever possible, such assistance  
91 shall be obtained from the staff of the division or from the volun-  
92 tary cooperation of the staff of other institutions or businesses.

93 The director of OVBA may procure the temporary or intermit-  
94 tent services of organizations, experts or consultants who shall not  
95 be subject to provisions of chapter thirty-one. Any person who,  
96 upon the request of said director provides voluntary assistance to  
97 the division shall be allowed travel and reasonable and necessary  
98 expenses subject to the approval of the secretary of administration  
99 and finance.

100 Section 52. The director of OVBA shall establish and maintain a  
101 liaison with agencies and departments of the federal government

102 and of the governments of other states and their municipalities and  
103 with any other public or private agency or organization, the pur-  
104 poses or programs of which are relevant to those of the division.  
105 The purposes of such liaison shall be to allow for a coordination of  
106 effort, to avoid a duplication of services and to solicit and obtain  
107 any available cooperation and any funds or grants available to  
108 assist the office in implementing its purposes and programs.

109 Section 53. The director of OVBA shall act as an advocate and  
110 as an overseer to assure that veteran-owned businesses are given  
111 fair and non-discriminatory consideration in the letting of bids and  
112 granting of contracts or subcontracts under which commonwealth  
113 monies are to be used in whole or in part and to assure that  
114 veteran-owned businesses are given fair and equal access to all  
115 relevant and needed information relating to the bidding on any  
116 contract by the commonwealth. To aid in the accomplishment of  
117 these purposes, the director of OVBA shall seek and develop the  
118 cooperation of other state agencies of the commonwealth.

119 Section 54. The director of OVBA shall, on the second Monday  
120 of January of each year, submit to the Governor, to the Clerk of the  
121 House of Representatives, to the Clerk of the Senate and to the  
122 Secretary of Economic Affairs, a report of the activities of OVBA,  
123 and evaluation of the effectiveness of its services measured by the  
124 general condition of veteran-owned businesses in the common-  
125 wealth.