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HOUSE BILL NO. 1238

Offered January 22, 1996

A BILL to amend and reenact § 2.1-64.35 of the Code of Virginia, relating to the Department of Minority Business Enterprise; certification.

Patrons—Jones, J.C., Christian, Crittenden, Cunningham, Jones, D.C., McEachin, Melvin, Robinson and Spruill; Senators: Lucas, Maxwell and Miller, Y.B.

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 2.1-64.35 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-64.35. Powers of Director.

As deemed necessary or appropriate to better fulfill the duties of the Department of Minority Business Enterprise, the Director may:

1. With the participation of other state departments and agencies as appropriate, develop comprehensive plans and specific program goals for the minority enterprise program; establish regular performance monitoring and reporting systems to assure that goals are being achieved; and evaluate the impact of federal and state support in achieving his objectives.

2. Employ the necessary personnel and/or subcontract according to his discretion, with localities to supplement the functions of business development organizations.

3. Assure the coordinated review of all proposed state training and technical assistance activities in direct support of the minority enterprise program to assure consistency with program goals and to avoid duplication.

4. Convene, for purposes of coordination, meetings of the heads of departments and agencies, or their designees, whose programs and activities may affect or contribute to the purposes of this chapter.

5. Convene business leaders, educators, and other representatives of the private sector who are engaged in assisting the development of minority business enterprise or who could contribute to its development, for the purpose of proposing, evaluating or coordinating governmental and private activities in furtherance of the objectives of this chapter.

6. Provide the managerial and organizational framework through which joint or collaborative undertakings with state departments or agencies or private organizations can be planned and implemented.

7. Recommend appropriate legislative or executive actions.

8. Promulgate reasonable regulations in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) to implement a certification program for minority business enterprises. *Such certification program shall include consideration of whether (i) the laws of an out-of-state minority business enterprise allow such enterprise a preference in the award of its state contracts and (ii) a Virginia minority business enterprise would be denied like certification in such state.*

INTRODUCED

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