

MEMORANDUM IN SUPPORT

A. 7540 (McDonald)/S. 5815 (Kaplan)

AN ACT to amend the executive law, in relation to regulatory fines for small businesses

The Greater Binghamton Chamber of Commerce represents over 830 small and large businesses and their employees. The mission of the Chamber is to serve as the premier resource for business development in Greater Binghamton.

There are two key components of this legislation. First, this bill would provide a “pass” and allow for a cure period on first-time regulatory offenses that do not put the public’s safety or health at risk. Second, it would give necessary support and guidance to small employers to come into compliance.

The proposed legislation has the potential to improve the state’s relationship with small employers. Many small businesses have difficulty knowing to comply with newly enacted regulation. This bill would help soften the impact of new regulations and help to create a more friendly business climate.

Many small business owners are not sure where to get proper information from the State regarding what laws they must be in compliance with. This is especially true for new legislation. This bill suggests literature or an in-person meeting to help keep businesses up-to-date in the heavily regulated business climate of New York State.

Most state agencies do not have employer advocates or resources to aid employers in understanding regulations. Very rarely do state agencies provide guidance or educational opportunities when new laws and regulations that are passed through the legislature or enacted through the administrative process. The lack of outreach can often catch businesses off guard and out of compliance. This approach oftentimes effects small businesses more often than large businesses because the small store owner would not have the resources or designated compliance departments available to notify them of new regulations and how to comply. This causes New York State and especially Upstate New York to have a lagging business environment.

This bill will help create a better relationship between the state agencies and many small business owners. It will also help to create more regulatory compliance while also fostering a better business climate for the local small businesses across the Southern Tier.

For the above reasons, the Greater Binghamton Chamber of Commerce supports this legislation.