



JOHN R. KASICH
GOVERNOR
STATE OF OHIO

Executive Order 2012-13K

Re-establishing the Ohio Minority Business Advisory Council

WHEREAS, the State of Ohio has a rich tradition of ethnic and cultural diversity, prides itself on the heritage of its citizens, and is committed to addressing the needs of ethnically diverse populations, particularly in the areas of job growth and economic development.

WHEREAS, my Administration is committed to providing resources to attract, retain, grow and develop minority companies.

WHEREAS, my Administration seeks to continue to promote policies and build a framework for discussions about how to improve minority business owners' potential for success, and to undertake a collaborative effort with the minority business community to develop strategies that will encourage stability and prosperity for minority-owned businesses.

NOW, THEREFORE, I, John R. Kasich, Governor of the State of Ohio, by virtue of the authority vested in me by the Constitution and the laws of this State, do hereby order and direct that:

1. The Minority Business Advisory Council ("Council") established by Executive Order 2009-05S shall continue to operate, subject to the additional provisions in this Executive Order 2012-13K.
 - (a) The Council shall receive advice and recommendations on matters of concern to the minority business community and shall provide that information to the Executive Committee of the Council created by this Executive Order. The Council and Executive Committee shall provide their advice and recommendations to my Administration.
 - (b) The length of a member's initial term on the Council as re-authorized by this Executive Order shall be one (1) year, two (2) years, or three (3) years from the date of this Order. The term will be set forth in the letter sent to existing or new Council members. After each member's initial term, that member's term on the Council shall be for two (2) years. A member appointed by the Governor to fill a vacancy occurring before the expiration of the term for which a predecessor was appointed shall serve for the remainder of that term. All members of the Council serve at the pleasure of the Governor, with the exception that the Council members appointed by the Speaker of the Ohio House of Representatives, by the President of the Ohio Senate, by the Minority Leader of the Ohio Senate and Minority Leader of the Ohio House of Representatives shall serve their terms unless and

until replaced by the respective legislative leader who appointed them. The Directors of the Ohio Department of Development (“ODOD”) and the Ohio Department of Administrative Services (“ODAS”), or their respective designees, shall serve their terms unless and until replaced by the respective agency director who appointed them.

(c) A vacancy occurring in the Council membership shall be filled in the same manner as the original appointment.

2. The Executive Committee of the Minority Business Advisory Council is created in order to:

- a. Assist the Council in advising the Directors of ODOD and ODAS in carrying out their respective responsibilities in the areas of minority employment, procurement, bonding, training, and in other matters affecting the economic vitality of the minority business community;
- b. Develop strategies and recommendations for promoting the growth and expansion of Ohio minority businesses, including through public procurement of goods and services from minority businesses, by simplification of the certification process for Encouraging Diversity, Growth & Equity (“EDGE”) and Minority Business Enterprise (“MBE”) business assistance programs, through increased access of capital to minority businesses, and through advice as an interested party to the Common Sense Initiative Office to identify regulatory barriers that impact the growth and expansion of Ohio minority businesses. The Executive Committee shall provide those recommendations to my Administration;
- c. Assist the Council in providing recommendations on policies and legislation that may impact the growth and development of minority business enterprises;
- d. Review issues and emerging topics related to minority business economic development, including participation in the state procurement process and a thorough review of other states’ best practices, and provide that information to my Administration; and
- e. Assist the state by increasing awareness in the minority business community of state procurement and other business opportunities, and by encouraging participation in the state’s EDGE and MBE business assistance programs.

3. I will appoint the members of the Executive Committee created by this Executive Order, and the Chair of that committee, who shall be a representative of private-sector businesses. There shall be no more than seven (7) individual members on the Executive Committee, a majority of whom shall represent persons involved in private-sector minority businesses. The Executive Committee, to the extent feasible, should include representation from different regions of the state and from each of the ethnic groups included in the definition of “Minority Business Enterprise” set forth in Section 122.71 of the Ohio Revised Code. Members of the Executive Committee shall also be appointed to serve as members of the Council.

4. The Chair and members of the Executive Committee shall serve at my pleasure. A majority of the appointed members of the Executive Committee shall constitute a quorum. The Executive Committee may conduct business whether or not the Council is meeting.
5. The Executive Committee shall focus on correlating opportunities for minority businesses and the needs of business and industry.
6. The Chair of the Executive Committee will call meetings as needed. Members of the Executive Committee will not be compensated for their participation on the Committee. However, to the extent consistent with state law, Executive Committee members may be reimbursed for reasonable and necessary expenses incurred in conducting the business of the Committee, such expenses to be paid by ODOD. ODOD's Minority Business Section will work with the Governor's Director of Minority Affairs to staff the Executive Committee.
7. The appropriate state departments, agencies, boards, commissions, and officers shall cooperate and provide the necessary information and assistance requested by the Executive Committee of the Council in the performance of its duties.

I signed this Executive Order on July 31, 2012, in Columbus, Ohio, and it will not expire unless it is rescinded.



John R. Kasich, Governor

ATTEST:

Jon Husted, Secretary of State



TED STRICKLAND
GOVERNOR
STATE OF OHIO

Executive Order 2009-5S

Creating the Ohio Minority Business Advisory Council

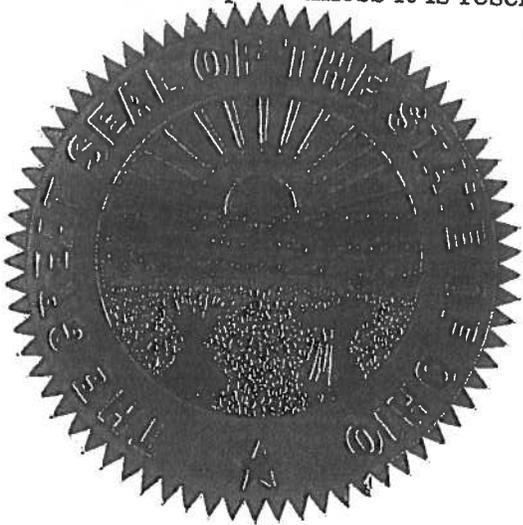
- 1. While the Number of Minority Businesses in Ohio has Grown Exponentially, Those Businesses Have Not Generated Opportunities and Revenue Comparable to Their Numbers.** Minority businesses are a vital part of Ohio's economy. The most recent U. S. Census Bureau Survey of Business Owners identified 58,607 minority companies in the State of Ohio. This number represented a 19% increase in minority-owned firms from the previous survey that was conducted in 1997. These businesses generated over \$10.5 billion in gross receipts and employed over 88,600 workers. However, revenue growth and the long-term success of those companies has not matched the business start-up numbers. Consequently, Ohio is committed to providing the resources needed to attract, retain, grow and develop minority companies and to removing any barriers that could impede their stability and success. Access to competition for federal, state, and local procurement opportunities is one important way to support the growth of strong and sustainable minority businesses.
- 2. In Order to Strengthen the State's Economy, Ohio Must Continue to Recognize and Facilitate Opportunities for Minority Businesses to Do Business in Ohio.** The Ohio Department of Development (ODOD), through its Minority Business Enterprise Division (MBED), is responsible for creating a business environment in Ohio that assists in the growth and development of minority-owned businesses. The Ohio Department of Administrative Services (ODAS), through its Equal Opportunity Division (EOD), aids the MBED by providing certification, procurement and compliance services for the constituents served by MBED, administers the Encouraging Growth, Diversity and Equity (EDGE) business assistance program, and provides assistance to state agencies to ensure equal access to contracting opportunities for MBE

and EDGE businesses. While the State has made quantifiable strides in making Ohio an attractive location for minority businesses to expand, the State recognizes that barriers to that expansion and growth still exist.

3. **Ohio is Committed to Promoting Programs and Policies that Close the Gap in Assets and Wealth for Minority-Owned Businesses.** It is important for Ohio to continue to provide access to programs, to promote policies and to build a framework for discussions about how to remove barriers, increase awareness and improve minority business owners' potential for success. To that end, the State is committed to undertaking a collaborative effort with the minority business community to develop strategies that will facilitate longevity and wealth-creation for minority business owners.
4. **Establishment of the Minority Business Advisory Council.** In order to ensure that minority businesses have access to capital, bonding, procurement opportunities, technical assistance and that Ohio creates a business environment that is conducive to inclusion and equity I hereby order the creation of the Ohio Minority Business Advisory Council (the "Minority Business Council").
5. **Role of the Council.** The role of the Minority Business Council will be to:
 - a. Advise and assist the Directors of the ODOD and ODAS in carrying out each Department's respective responsibilities in the areas of economic development, employment, procurement, (including initiatives outlined in Executive Orders 2008-12S and 2008-13S), training and other matters affecting the economic vitality of the minority business community;
 - b. Provide advice, insight and expertise to the State in the diversification and opening of its markets, as well as the identification of business opportunities for the minority business community;
 - c. Provide guidance and feedback about policies and legislation that would favorably impact the growth and development of minority business enterprises and about practices that would increase the number of minorities starting businesses and further contributing to the growth of Ohio's economy;

- d. Keep the ODOD and ODAS abreast of significant issues and trends in minority business growth, development or ownership;
 - e. Submit a bi-annual report to the Directors of ODOD and ODAS that outlines concerns, issues and challenges regarding minority business development and growth and identifies potential initiatives to respond those issues and challenges.
6. **Council Composition.** The Minority Business Council shall consist of not more than forty (40) individuals who have been or are presently engaged in minority business development, either in private industry, in governmental service or as a scholar of recognized achievement in the study of minority business matters, as well as other individuals who are concerned about the development of minority businesses in Ohio. The Council shall include representation from all regions of the State and should include at least one member from each ethnic group included in the definition of "Minority Business Enterprise," as set forth in Section 122.71 of the Ohio Revised Code, while also including diverse individuals based on gender and nationality subgroup. Members of the Council shall also include:
- a. The Directors of ODOD and ODAS or their respective designees;
 - b. One member appointed by the President of the Ohio Senate and one member appointed by the Minority Leader of the Ohio Senate;
 - c. One member appointed by the Speaker of the Ohio House of Representatives and one member appointed by the Minority Leader of the Ohio House of Representatives;
 - d. Individuals whose profession, knowledge or experience makes them representative of the following constituencies:
 - i. Local, state and federal small and minority business assistance or community development programs;
 - ii. The minority business community;
 - iii. Ohio minority supplier development councils;
 - iv. Local government;
 - v. The banking and insurance industries;

- vi. The private business sector;
 - vii. Minority chambers of commerce;
 - viii. Other individuals as recommended by the Directors of ODOD and ODAS.
7. **Governance; Support Staff; Meetings; Compensation.** The Director of the ODOD, or designee, will serve as Chair of the Council, provide leadership and staff for the Council, and will call meetings as needed. The Director of ODAS, or designee, will serve as Vice Chair of the Council. The Director of the ODOD is also authorized to create subcommittees and establish membership criteria as needed. Members of the Council will not be compensated for their participation on the Council. However, consistent with Executive Orders previously issued, members may be reimbursed for any reasonable and necessary expenses incurred in conducting the business of the Council. Such expenses shall be paid by ODOD.
8. I signed this Executive Order on April 8, 2009 in Columbus, Ohio, and it will not expire unless it is rescinded.



Ted Strickland

Ted Strickland, Governor

ATTEST:

Jennifer Brunner, Secretary of State