

6096

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to creating an interagency workgroup on entrepreneurship for people with disabilities as a standing committee of the most integrated settings coordinating council (MISCC) to provide consistency in state policy, and to establish a pool of funding for business start up and expansion using the individual development account (IDA) matching funds mechanism

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The executive law is amended by adding a new article 19-e
2 to read as follows:

3 ARTICLE 19-E

4 INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH
5 DISABILITIES

6 SECTION 460. INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH
7 DISABILITIES.

8 S 460. INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH DISA-
9 BILITIES. 1. THERE IS HEREBY CREATED AN INTERAGENCY WORKGROUP ON ENTRE-
10 PRENEURSHIP FOR PEOPLE WITH DISABILITIES TO FACILITATE INTERAGENCY PLAN-
11 NING AND POLICY, REVIEW SPECIFIC AGENCY INITIATIVES FOR THEIR IMPACT ON
12 SERVICES RELATED TO EMPLOYMENT AND ENTREPRENEURSHIP OF PEOPLE WITH DISA-
13 BILITIES, IDENTIFY BARRIERS AND FACILITATORS TO SELF-EMPLOYMENT AT THE
14 POLICY AND PROGRAM LEVELS ACROSS AGENCIES, RECOMMEND IMPROVEMENTS IN
15 POLICY AND PROGRAM, AND PROVIDE A CONTINUING FORUM FOR CONCERNS AND
16 DISCUSSION RELATED TO THE FORMULATION OF A COMPREHENSIVE STATE POLICY
17 RELATING TO EMPLOYMENT AND ENTREPRENEURSHIP AMONG PEOPLE WITH DISABILI-
18 TIES.

19 2. THE INTERAGENCY WORKGROUP SHALL BE COMPRISED OF TWENTY-FIVE MEMBERS
20 AS FOLLOWS: THE COMMISSIONER OF HEALTH, THE DIRECTOR OF THE STATE OFFICE
21 FOR THE AGING, THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES, THE
22 COMMISSIONER OF EDUCATION, THE COMMISSIONER OF MENTAL HEALTH, THE
23 COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD13289-01-1

1 THE EXECUTIVE DIRECTOR OF THE DEVELOPMENTAL DISABILITIES PLANNING COUN-
2 CIL, THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK, THE CHANCELLOR
3 OF THE CITY UNIVERSITY OF NEW YORK, THE COMMISSIONER OF THE DEPARTMENT
4 OF LABOR, THE COMMISSIONER OF ECONOMIC DEVELOPMENT, AND THE DIRECTOR OF
5 THE OFFICE OF ALCOHOL AND SUBSTANCE ABUSE SERVICES, ANY OF WHOM SHALL
6 SERVE EX-OFFICIO AND WHO MAY DESIGNATE AS REPRESENTATIVES PERSONS WITH
7 RESPONSIBILITY FOR ENTREPRENEURIAL DEVELOPMENT WITHIN THE AGENCY OR
8 PERSONS WHO MAY HAVE DIRECT RESPONSIBILITY FOR VOCATIONAL, EDUCATION, OR
9 TRAINING SERVICES FOR PERSONS WITH DISABILITIES TO ACT ON THEIR BEHALF.
10 THE GOVERNOR SHALL APPOINT SEVEN OTHER MEMBERS WITH EXPERTISE IN DISA-
11 BILITY EMPLOYMENT AND ENTREPRENEURIAL ISSUES, AT LEAST TWO OF WHOM SHALL
12 REPRESENT NOT-FOR-PROFIT CORPORATIONS WHOSE PRIMARY PURPOSE IS TO
13 PROVIDE PROGRAMS IN TRAINING, SERVICES, AND ENTREPRENEURSHIP FOR PERSONS
14 WITH DISABILITIES. SIX MEMBERS SHALL BE APPOINTED BY THE GOVERNOR ON THE
15 RECOMMENDATION OF THE LEGISLATIVE LEADERS AS FOLLOWS: THE TEMPORARY
16 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY SHALL EACH
17 RECOMMEND TWO MEMBERS TO THE COUNCIL. ONE OF THE TWO MEMBERS RECOM-
18 MENDED BY THE TEMPORARY PRESIDENT AND ONE OF THE TWO MEMBERS RECOMMENDED
19 BY THE SPEAKER SHALL BE AN ENTREPRENEURIAL EXPERT IN THE FIELD OF
20 PERSONS WITH DISABILITIES AND THE OTHER MEMBERS APPOINTED BY EACH SHALL
21 BE A FAMILY MEMBER OR CAREGIVER OF A PERSON WITH DISABILITIES WHO IS
22 CURRENTLY AN ENTREPRENEUR. ONE MEMBER SHALL BE APPOINTED ON THE RECOM-
23 MENDATION OF THE MINORITY LEADER OF THE SENATE AND ONE MEMBER SHALL BE
24 APPOINTED ON THE RECOMMENDATION OF THE MINORITY LEADER OF THE ASSEMBLY.
25 THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILI-
26 TIES SHALL SERVE, EX-OFFICIO OF THE COUNCIL. ADMINISTRATIVE DUTIES SHALL
27 BE THE RESPONSIBILITY OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISA-
28 BILITIES. THE MEMBERS OF THE INTERAGENCY WORKGROUP SHALL RECEIVE NO
29 COMPENSATION FOR THEIR SERVICES.

30 3. WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, THE
31 INTERAGENCY WORKGROUP SHALL CONDUCT COMMUNITY FORUMS TO GAIN INPUT FROM
32 CONSUMERS, PROVIDERS, KEY RESEARCHERS IN THE FIELD AND OTHER INTERESTED
33 PARTIES TO PROVIDE INPUT AND DIRECTION ON DEVELOPING A NEW YORK STATE
34 PLAN FOR A COMPREHENSIVE SYSTEM OF SERVICES RELATED TO EMPLOYMENT AND
35 ENTREPRENEURSHIP OF PEOPLE WITH DISABILITIES. A COMMUNITY FORUM SHALL BE
36 CONDUCTED IN EACH OF THE TEN ECONOMIC DEVELOPMENT REGIONAL COUNCILS TO
37 BE ESTABLISHED BY AN EXECUTIVE ORDER. THE STATE PLAN SHALL INCLUDE BUT
38 NOT BE LIMITED TO IDENTIFYING BARRIERS AND FACILITATORS TO SELF-EMPLOY-
39 MENT BY PERSONS WITH DISABILITIES, IDENTIFYING BEST PRACTICES IN DEVEL-
40 OPING ENTREPRENEURSHIP AND EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH
41 DISABILITIES, BEST APPROACHES TO TRAINING INDIVIDUALS TO AID IN THE
42 DEVELOPMENT OF ENTREPRENEURIAL AND EMPLOYMENT OPPORTUNITIES FOR PERSONS
43 WITH DISABILITIES, A COMMUNITY ASSESSMENT OF STRENGTHS AND GAPS IN
44 COMMUNITY SUPPORT SERVICES, WAYS IN WHICH TO COORDINATE SERVICES AMONG
45 VARIOUS SYSTEMS, DIFFERENT FINANCING APPROACHES TO PAY FOR SUPPORT
46 SERVICES AND ANY OTHER RECOMMENDATIONS.

47 4. THE INTERAGENCY WORKGROUP SHALL MEET QUARTERLY OR MORE FREQUENTLY
48 IF ITS BUSINESS SHALL REQUIRE. THE COMMUNITY FORUMS IN THE FIRST YEAR OF
49 IMPLEMENTATION COUNT AS A FORMAL MEETING OF THE COUNCIL. THE MEMBERS OF
50 THE INTERAGENCY WORKGROUP SHALL RECEIVE NO COMPENSATION BUT SHALL BE
51 REIMBURSED FOR TRAVEL AND OTHER EXPENSES ACTUALLY AND NECESSARILY
52 INCURRED IN THE PERFORMANCE OF THEIR DUTIES. THE INTERAGENCY WORKGROUP
53 SHALL PROVIDE REPORTS TO THE GOVERNOR AND THE LEGISLATURE ON OR BEFORE
54 JUNE THIRTIETH, TWO THOUSAND TWELVE AND BY JUNE THIRTIETH OF EVERY OTHER
55 YEAR THEREAFTER. SUCH REPORTS SHALL INCLUDE RECOMMENDATIONS FOR STATE
56 POLICY RELATING TO EMPLOYMENT AND ENTREPRENEURIAL SERVICES FOR PEOPLE

1 WITH DISABILITIES. THE INTERAGENCY WORKGROUP SHALL ALSO REVIEW AND
2 REPORT ON BEST PRACTICES OF PROVIDERS WORKING TO DEVELOP EMPLOYMENT AND
3 ENTREPRENEURIAL OPPORTUNITIES FOR PEOPLE WITH DISABILITIES.

4 5. THE INTERAGENCY WORKGROUP SHALL ADDITIONALLY EXAMINE ACCESSIBILITY
5 REQUIREMENTS FOR ALL STATE WEB-BASED INFORMATION TECHNOLOGY, IN ORDER TO
6 EXPAND THAT POLICY TO OTHER FORMS OF ELECTRONIC AND INFORMATION TECHNOL-
7 OGY PURCHASED, DEVELOPED, OR USED BY STATE AGENCIES, AND SHALL CONSIDER
8 IN DEVELOPING RECOMMENDATIONS AND PROCEDURES WITH REGARD TO THIS, FEDER-
9 AL POLICY WITH REGARD TO SUCH INFORMATION AND APPLICATIONS. THE PURPOSE
10 OF SUCH ACCESSIBILITY REQUIREMENT CHANGES SHALL BE TO IMPROVE EMPLOYMENT
11 AND ADVANCEMENT OPPORTUNITIES FOR PEOPLE WITH DISABILITIES, AND ACCESS
12 TO GOVERNMENT SERVICES AND INFORMATION.

13 6. THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES SHALL SERVE
14 AS THE FOCAL POINT TO DEVELOP COMPREHENSIVE COORDINATED RESPONSES OF THE
15 VARIOUS STATE AGENCIES WITH REGARD TO EMPLOYMENT AND ENTREPRENEURIAL
16 OPPORTUNITIES FOR PERSONS WITH DISABILITIES. THE OFFICE, IN CONSULTATION
17 WITH THE INTERAGENCY WORKGROUP, SHALL UTILIZE DATA AND INFORMATION
18 COMPILED AND MAINTAINED PURSUANT TO THIS SECTION TO COORDINATE STATE
19 FUNDED RESEARCH EFFORTS TO ENSURE THE MOST EFFICIENT USE OF FUNDS AVAIL-
20 ABLE FOR THIS PURPOSE. THE OFFICE MAY ENGAGE A NATIONALLY KNOWN ENTITY
21 IN THE AREAS OF ENTREPRENEURSHIP AND EMPLOYMENT FOR PEOPLE WITH DISABIL-
22 ITIES WHICH IS AFFILIATED WITH AN ACADEMIC OR RESEARCH INSTITUTION TO
23 AID IN THE DEVELOPMENT AND IMPLEMENTATION OF THE PLAN AND REVIEW OF
24 PROGRAM AND POLICY.

25 7. THERE IS HEREBY CREATED UNDER THE AUSPICE OF THE INTERAGENCY WORK-
26 GROUP THE INDIVIDUAL DEVELOPMENT ACCOUNT PILOT PROGRAM FOR THE DEVELOP-
27 MENT OF BUSINESS STARTUP AND EXPANSION BY PERSONS WITH DISABILITIES. THE
28 INTERAGENCY WORKGROUP SHALL DEVELOP AN APPLICATION AND REVIEW PROCESS
29 FOR THE DEVELOPMENT OF THE PROGRAM IN TEN SITES, PROVIDED THAT IN EACH
30 SITE INDIVIDUAL DEVELOPMENT ACCOUNTS SHALL BE ADMINISTERED BY COMMUNITY
31 DEVELOPMENT CREDIT UNIONS. PROSPECTIVE ENTREPRENEURS WITH DISABILITIES
32 SHALL DEPOSIT THEIR OWN EARNINGS INTO SUCH ACCOUNTS, AND RECEIVE TRAIN-
33 ING IN FINANCIAL LITERACY AND ENTREPRENEURSHIP. EACH ACCOUNT SHALL HAVE
34 A MATCHING REQUIREMENT AND THE ACCOUNTS SHALL BE RELEASED TO INDIVIDUAL
35 ENTREPRENEURS WITH DISABILITIES WHEN THE ENTREPRENEUR HAS DEPOSITED
36 SUFFICIENT FUNDS TO REACH THE MATCH AMOUNT. MATCH REQUIREMENTS SHALL BE
37 SET MINIMALLY AT A ONE TO ONE RATIO. EACH PROJECT SITE MAY RECEIVE AN
38 INVESTMENT NOT TO EXCEED FIFTY THOUSAND DOLLARS. PROJECT SITES SHALL BE
39 CHOSEN TO PROVIDE GEOGRAPHIC BALANCE BETWEEN URBAN, RURAL, AND SUBURBAN
40 AREAS.

41 S 2. This act shall take effect on the one hundred twentieth day after
42 it shall have become a law.