1841

2011-2012 Regular Sessions

IN SENATE

January 13, 2011

Introduced by Sens. OPPENHEIMER, DIAZ, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law, in relation to establishing the economic development program evaluation act

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

1 Section 1. The economic development law is amended by adding a new 2 article 15 to read as follows: 3

ARTICLE 15

ECONOMIC DEVELOPMENT PROGRAM EVALUATION ACT

5 SECTION 270. DEFINITION.

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271. PROGRAM IMPLEMENTATION.

272. EVALUATION.

8 S 270. DEFINITION. FOR PURPOSES OF THIS ARTICLE, "ECONOMIC DEVELOPMENT 9 PROGRAM" SHALL MEAN A PROGRAM THAT PROVIDES SERVICES FOR THE PURPOSE OF EFFECTING THE ECONOMIC CONDITIONS OF THE STATE, PROVIDES TRAINING OR 10 11 EMPLOYMENT SERVICES, SUPPORTS AN ECONOMIC DEVELOPMENT ACTIVITY BY ENHANCING THE SKILLS OF THE STATE'S WORKFORCE, PREPARES INDIVIDUALS FOR 12 13 EMPLOYMENT, IMPROVES OPPORTUNITIES FOR INDIVIDUALS TO BECOME EMPLOYED, OR PROMOTES THE STATE ECONOMY. 14

15 S 271. PROGRAM IMPLEMENTATION. 1. ON OR BEFORE SEPTEMBER FIRST, IN THE 16 YEAR AFTER THIS SECTION BECAME LAW, EACH STATE AGENCY ADMINISTRATIVELY 17 RESPONSIBLE FOR ECONOMIC DEVELOPMENT ACTIVITIES SHALL PREPARE A SEPARATE 18 PLAN FOR EACH PROGRAM THAT SUCH AGENCY ADMINISTERS. EACH PLAN SHALL INCLUDE A DESCRIPTION OF PROPOSED PROGRAM ACTIVITIES, A DESCRIPTION OF A 19 MECHANISM FOR FUNDING DISTRIBUTION, PROGRAM OBJECTIVES, POPULATION TO BE 20 SERVED, INSTITUTIONS ELIGIBLE TO RECEIVE FUNDS, AND A DESCRIPTION OF THE 21 22 COORDINATION AND LINKAGES BETWEEN THIS PROGRAM AND OTHER PROGRAM ACTIV-23 ITIES FUNDED SEPARATELY. SUCH PLAN SHALL ALSO INCLUDE AN EVALUATION 24 AS PART OF THE IMPLEMENTATION OF EACH PROGRAM WHICH SHALL COMPONENT

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

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1 DESCRIBE HOW THE AGENCY WILL MONITOR THE DELIVERY OF SERVICES UNDER THE 2 PROGRAM AND WHICH SHALL SET FORTH THE MEASURE OF EFFECTIVENESS OF THE 3 SERVICES BEING PROVIDED.

4 2. PROGRAM PLANS SHALL BE SUBMITTED TO THE DEPARTMENT, THE SPEAKER OF 5 THE ASSEMBLY AND THE TEMPORARY PRESIDENT OF THE SENATE, FOR REVIEW AND 6 COMMENT.

7 3. THE PROVISIONS OF THIS SECTION SHALL NOT EXEMPT ANY AGENCY FROM
8 REQUIREMENTS RELATING TO THE PREPARATION AND SUBMISSION OF PROGRAM PLANS
9 PURSUANT TO ANY OTHER PROVISION OF LAW.

10 S 272. EVALUATION. 1. THE EVALUATION COMPONENT OF EACH PROGRAM PLAN 11 SHALL, AT A MINIMUM, INCLUDE THE FOLLOWING:

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(A) A STATEMENT ON LEGISLATIVE HISTORY AND INTENT;

13 (B) A STATEMENT OF PROGRAM OBJECTIVES WHICH IDENTIFIES OUTCOMES 14 ATTRIBUTABLE TO THE PROGRAM, ANTICIPATED PERFORMANCE LEVELS, AND INDICA-15 TORS OF THE EFFECTIVENESS OF THE PROGRAM;

(C) DEFINED QUANTITATIVE MEASURES WHICH WILL BE INCLUDED AS 16 PART OF EVALUATION REPORT INCLUDING, BUT NOT LIMITED TO, A DESCRIPTION OF 17 THE THE TARGETED POPULATION, CRITERIA FOR PARTICIPANT SELECTION, DEMOGRAPH-18 19 ICS ON PARTICIPANTS, MEASURES OF PROGRAM ACTIVITY, INVENTORY OF SERVICES 20 PROVIDED, AND BUDGET INFORMATION ON PROGRAMS AND ADMINISTRATIVE EXPENDI-21 TURES INCLUDING, BUT NOT LIMITED TO, COSTS PER PARTICIPANT. FOR THOSE PROGRAMS WHERE AN OBJECTIVE IS JOB PLACEMENT, DATA SHALL INCLUDE 22 INFOR-23 MATION ON THE OCCUPATIONS WHICH PARTICIPANTS ENTER, THE RATE OF JOB RETENTION, PRE-PROGRAM WAGE EARNINGS AND POST-PROGRAM WAGE EARNINGS AS 24 25 AS OTHER APPROPRIATE MEASURES WHICH INDICATE THE EXTENT TO WHICH WELL 26 PROGRAM ACTIVITIES MEET PROGRAM OBJECTIVES. OTHER PERFORMANCE INDICATORS 27 THAT APPROPRIATELY DESCRIBE THE EFFECT OF THE PROGRAM AND DATA WHICH FOLLOW-UP ACTIVITY APPROPRIATE TO THE SERVICES PROVIDED SHALL 28 REFLECTS 29 ALSO BE INCLUDED AS PART OF THE EVALUATION REPORT;

30 (D) A STATEMENT OF METHODOLOGY WHICH WILL RESULT IN A COMPARISON OF 31 PROGRAM OUTCOMES AGAINST PROGRAM OBJECTIVES; AND

32 (E) ANY ADDITIONAL EVALUATION INFORMATION AS MAY BE REQUIRED BY LAW.

33 2. (A) THE EVALUATION REPORT FOR EACH PROGRAM SHALL BE SUBMITTED TO34 THE COMMISSIONER FOR REVIEW AND RECOMMENDATION.

(B) THE REPORT SHALL INCLUDE, AT A MINIMUM, ALL PROGRAM DATA AND AN
ANALYSIS WHICH COMPARES PERFORMANCE OUTCOMES AGAINST PROGRAM OBJECTIVES
AS SPECIFIED IN THE EVALUATION COMPONENT OF THE PROGRAM PLAN DEFINED
HEREIN AND SHALL INCLUDE AN EVALUATION OF ACTIVITY FOR THE COMPLETED
PROGRAM YEAR IMMEDIATELY PRECEDING THE ISSUANCE OF THE REPORT AND AN
INTERIM EVALUATION OF CURRENT PROGRAM YEAR ACTIVITY IF APPLICABLE.

3. BASED ON THE REVIEW CONDUCTED PURSUANT TO PARAGRAPH (A) OF SUBDIVI-41 SION TWO OF THIS SECTION, THE DEPARTMENT SHALL PREPARE A UNIFIED SUMMARY 42 43 OF EVALUATION REPORTS SUBMITTED BY EACH AGENCY PURSUANT TO THIS ARTICLE FOR SUBMISSION TO THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESI-44 45 DENT OF THE SENATE NO LATER THAN JANUARY THIRTY-FIRST, TWO THOUSAND TWELVE AND EACH YEAR THEREAFTER PROVIDED, HOWEVER, THAT THE DEPARTMENT 46 47 SHALL MAKE AVAILABLE EACH INDIVIDUAL PROGRAM EVALUATION REPORT SUBMITTED 48 PURSUANT TO THIS ARTICLE UPON REQUEST OF THE LEGISLATURE. THE DEPARTMENT 49 SHALL INCLUDE IN SUCH SUMMARY RECOMMENDATIONS TO THE GOVERNOR AND THE 50 LEGISLATURE RELATING TO IMPROVED PROGRAM COORDINATION AND SERVICE DELIV-51 ERY, PROGRAM IMPROVEMENTS OR ENHANCEMENTS AND NECESSARY STATUTORY CHANG-52 ES.

53 4. THE PROVISIONS OF THIS SECTION SHALL NOT EXEMPT ANY AGENCY FROM 54 REQUIREMENTS PURSUANT TO ANY OTHER PROVISION OF LAW. 55 S 2 This act shall take effect immediately

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