

8869

2009-2010 Regular Sessions

I N A S S E M B L Y

June 12, 2009

Introduced by M. of A. BALL, MENG, WALKER, BURLING -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing a high-tech employment and training program within the New York state foundation for science, technology and innovation

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

1 Section 1. Legislative findings and declaration. The legislature here-
2 by finds and declares that an appropriately skilled workforce is neces-
3 sary to ensure the creation and growth of high technology businesses in
4 New York. The introduction of new technologies in business and industry
5 is an ongoing, dynamic process which necessitates a system of training
6 and education that is responsive to constantly changing skill require-
7 ments.
8 Further, the legislature finds that technology has also changed the
9 manner in which training and education can be provided within a firm.
10 While the use of sophisticated computer based training is not new, the
11 cost of development of such applications results in limited access.
12 Using technology to create a more effective and cost efficient delivery
13 system for training and education services for firms in the state is
14 critical to foster the young, developing high-tech sector in the state
15 of New York.
16 S 2. The executive law is amended by adding a new section 209-u to
17 read as follows:
18 S 209-U. HIGH-TECH EMPLOYMENT AND TRAINING PROGRAM. 1. FOR PURPOSES OF
19 THIS SECTION:
20 (A) "OFFICE" SHALL MEAN THE NEW YORK STATE FOUNDATION FOR SCIENCE,
21 TECHNOLOGY AND INNOVATION.
22 (B) "HIGH-TECH INDUSTRY" SHALL MEAN THOSE INDUSTRIES WITH AN ABOVE
23 AVERAGE PERCENTAGE OF SCIENTIFIC, TECHNICAL, AND ENGINEERING PERSONNEL
24 AND THAT ARE INVOLVED IN THE DEVELOPMENT AND MANUFACTURE OF INNOVATIVE

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

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1 AND NON-ROUTINE PRODUCTS SUCH AS RESEARCH AND DEVELOPMENT, PROTOTYPE
2 DEVELOPMENT, AND SMALL-VOLUME PRODUCTION OF NEW AND CHANGING PRODUCTS.
3 THE INDUSTRY IS CHARACTERIZED BY BUSINESSES WHICH ARE DEVELOPING OR
4 OFFERING A TECHNOLOGY-BASED PRODUCT OR SERVICE, AND WHICH ARE ACTIVELY
5 CONDUCTING RESEARCH AND DEVELOPMENT DESIGNED TO DEVELOP OR IMPROVE SUCH
6 PRODUCT OR SERVICE.

7 (C) "ELIGIBLE ENTITIES" SHALL MEAN PUBLIC AND PRIVATE INSTITUTIONS OF
8 HIGHER EDUCATION INCLUDING THE CITY UNIVERSITY OF NEW YORK AND THE STATE
9 UNIVERSITY OF NEW YORK.

10 2. THERE IS HEREBY ESTABLISHED WITHIN THE OFFICE A HIGH-TECH TRAINING
11 INITIATIVE (HEREINAFTER REFERRED TO AS "THE PROGRAM") TO PROVIDE FUNDING
12 FOR PROJECTS TO SUPPORT INDUSTRY AND FIRM-SPECIFIC TRAINING FOR BUSI-
13 NESSES IN HIGH-TECH INDUSTRIES.

14 3. THE DIRECTOR OF THE OFFICE SHALL:

15 (A) DEVELOP AN ANNUAL PLAN COMPATIBLE WITH THE OBJECTIVES OF THE STRA-
16 TEGIC TRAINING ALLIANCE PROGRAM PURSUANT TO SECTION SIXTEEN-J OF THE
17 URBAN DEVELOPMENT CORPORATION ACT FOR THE PURPOSE OF IMPLEMENTING TRAIN-
18 ING INITIATIVES UNDER THE PROGRAM IN COOPERATION WITH REGIONAL AND LOCAL
19 ECONOMIC DEVELOPMENT AGENCIES, CENTERS FOR ADVANCED TECHNOLOGY, THE
20 STATE EDUCATION DEPARTMENT, THE DEPARTMENTS OF LABOR AND ECONOMIC DEVEL-
21 OPMENT, INSTITUTIONS OF HIGHER EDUCATION INCLUDING THE CITY UNIVERSITY
22 OF NEW YORK AND THE STATE UNIVERSITY OF NEW YORK, AND THE URBAN DEVELOP-
23 MENT CORPORATION. THE PLAN SHALL INCLUDE BUT NOT BE LIMITED TO THE
24 FOLLOWING:

25 (I) A STATEMENT OF PROGRAM GOALS AND OBJECTIVES;

26 (II) A DESCRIPTION OF THE PROCESS THROUGH WHICH PROJECTS WILL BE IDEN-
27 TIFIED;

28 (III) SPECIFICATION OF CRITERIA TO BE USED TO EVALUATE PROJECT APPLI-
29 CATIONS;

30 (IV) IDENTIFICATION OF MEASURABLE OUTCOMES SUCH AS THE NUMBER OF INDI-
31 VIDUALS TRAINED, JOBS CREATED OR RETAINED, AND OTHER OBJECTIVE ECONOMIC
32 DEVELOPMENT BENEFITS OF THE PROGRAM; AND

33 (V) SPECIFICATION OF A MATCHING REQUIREMENT, EITHER CASH, IN-KIND, OR
34 BOTH, WHICH SHALL NOT BE LESS THAN HALF THE AMOUNT OF THE GRANT REQUEST.

35 (B) COORDINATE WITH THE STATE EDUCATION DEPARTMENT, THE DEPARTMENT OF
36 LABOR, THE CITY UNIVERSITY OF NEW YORK, THE STATE UNIVERSITY OF NEW
37 YORK, AND OTHER PRIVATE INSTITUTIONS OF HIGHER EDUCATION AS NEEDED TO
38 CARRY OUT THE PURPOSES OF THIS SECTION; AND

39 (C) PROMOTE THE AWARENESS OF THE PROGRAM AND OTHER HIGH-TECH INITI-
40 ATIVES AMONG BUSINESSES, BUSINESS ORGANIZATIONS, AND REGIONAL AND LOCAL
41 ECONOMIC DEVELOPMENT AGENCIES.

42 4. THE OFFICE SHALL PROVIDE ASSISTANCE TO ELIGIBLE ENTITIES FOR
43 PURPOSES INCLUDING BUT NOT LIMITED TO THE DEVELOPMENT AND IMPLEMENTATION
44 OF:

45 (A) PROJECTS FOR OCCUPATION SPECIFIC TRAINING AND RETRAINING FOR
46 EMPLOYED OR UNEMPLOYED WORKERS IN SKILLS REPRESENTED IN HIGH-TECH INDUS-
47 TRIES;

48 (B) PROJECTS TO TRAIN EMPLOYEES IN SMALL HIGH-TECH FIRMS USING ALTER-
49 NATIVE METHODS OF INSTRUCTION SUCH AS DISTANCE LEARNING;

50 (C) COMPUTER-BASED TRAINING PROGRAMS USING MULTIMEDIA AND INTERACTIVE
51 PROGRAMMING INCLUDING (I) GRANTS TO INSTITUTIONS OF HIGHER EDUCATION TO
52 DEVELOP AND IMPLEMENT SUCH PROGRAMS; AND (II) FUNDING SUPPORT FOR BUSI-
53 NESSES TO ACQUIRE ACCESS TO SUCH PROGRAMS;

54 (D) PROGRAMS OF APPLIED LEARNING AT THE SECONDARY LEVEL OPERATED IN
55 PARTNERSHIP WITH AN INSTITUTION OF HIGHER EDUCATION INCLUDING WORK-PREP
56 ACTIVITY PURSUANT TO SECTION THIRTY-SIX HUNDRED TWO-D OF THE EDUCATION

1 LAW, SCHOOL-TO-WORK, AND OTHER DEMONSTRATION PROGRAMS TO INCREASE THE
2 AWARENESS OF YOUTH OF CAREER OPPORTUNITIES IN SCIENTIFIC AND TECHNOLOG-
3 ICAL FIELDS; AND

4 (E) INNOVATIVE PROJECTS TO INCREASE THE QUALITY AND QUANTITY OF GRADU-
5 ATES FROM POST-SECONDARY PROGRAMS WHO ARE SEEKING EMPLOYMENT IN HIGH
6 TECHNOLOGY INDUSTRIES INCLUDING PROJECTS DIRECTED AT INCREASING ENROLL-
7 MENTS AND RETENTION OF MINORITY AND WOMEN STUDENTS INTERESTED IN CAREERS
8 IN HIGH TECHNOLOGY OCCUPATIONAL CLUSTERS.

9 5. APPLICATIONS FOR ASSISTANCE UNDER THIS SECTION SHALL INCLUDE A
10 DESCRIPTION OF THE PROJECT TO BE FUNDED INCLUDING, AS APPROPRIATE,
11 DETAILED INFORMATION ON:

12 (A) THE TYPE OF SKILLS TRAINING OR EDUCATIONAL ACTIVITY THAT WILL BE
13 PROVIDED;

14 (B) THE TECHNOLOGIES TO BE USED TO DELIVER TRAINING;

15 (C) STRATEGIES TO DISSEMINATE THE TRAINING AND THE TRAINING TECHNOLOGY
16 AMONG FIRMS;

17 (D) THE ECONOMIC BENEFIT OF THE PROJECT INCLUDING JOB CREATION AND
18 RETENTION;

19 (E) IDENTIFICATION OF RESOURCES THAT WILL BE USED TO SUPPORT THE
20 PROJECT BEYOND THE PERIOD OF THE INITIAL GRANT; AND

21 (F) THE AMOUNT OF ANY CASH OR IN-KIND MATCH USED TO SUPPORT THE
22 PROJECT.

23 6. ALLOWABLE EXPENSES INCLUDE BUT ARE NOT LIMITED TO CURRICULUM DEVEL-
24 OPMENT, INSTRUCTION, AND COSTS ASSOCIATED WITH THE DEVELOPMENT AND
25 IMPLEMENTATION OF TECHNOLOGIES AND SOFTWARE APPLICATIONS TO IMPROVE THE
26 DELIVERY OF TRAINING TO EMPLOYEES OF SMALL HIGH TECHNOLOGY BUSINESSES
27 AND EDUCATIONAL SERVICES TO STUDENTS WHO MAY SEEK EMPLOYMENT IN HIGH
28 TECHNOLOGY BUSINESSES.

29 7. ON OR BEFORE OCTOBER FIRST, TWO THOUSAND ELEVEN AND ON OR BEFORE
30 OCTOBER FIRST EACH YEAR THEREAFTER, THE OFFICE SHALL SUBMIT TO THE
31 GOVERNOR AND THE LEGISLATURE A REPORT REGARDING THE STATUS OF THE
32 PROGRAM. SUCH REPORT SHALL INCLUDE BUT NOT BE LIMITED TO:

33 (A) A LIST OF CONTRACTS, GRANTS, OR AWARDS ISSUED TO ELIGIBLE ENTITIES
34 AND THE AMOUNT, PURPOSE, AND OBJECTIVE OF EACH CONTRACT, GRANT, OR
35 AWARD;

36 (B) THE NAMES OF FIRMS SERVED THROUGH THE PROGRAM INCLUDING A
37 DESCRIPTION OF EACH FIRM;

38 (C) DESCRIPTIONS OF THE CURRICULAR MATERIALS AND TECHNOLOGIES DEVEL-
39 OPED AND IMPLEMENTED TO SUPPORT TRAINING IN SUCH FIRMS; AND

40 (D) AN ASSESSMENT OF THE EXTENT TO WHICH THE GOALS AND OBJECTIVES
41 IDENTIFIED IN THE ANNUAL PLAN REQUIRED PURSUANT TO PARAGRAPH (A) OF
42 SUBDIVISION THREE OF THIS SECTION HAVE BEEN REACHED.

43 S 3. This act shall take effect on the first of September next
44 succeeding the date on which it shall have become a law.