

2615

2009-2010 Regular Sessions

I N S E N A T E

February 25, 2009

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law and the state finance law, in relation to enacting the accessible electronic information act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "accessible electronic information act".

3 S 2. The public service law is amended by adding a new section 92-g to
4 read as follows:

5 S 92-G. ACCESSIBLE ELECTRONIC INFORMATION; BLIND AND DISABLED PERSONS.

6 1. A QUALIFIED NOT-FOR-PROFIT ENTITY CAPABLE OF PROVIDING SUCH SERVICE
7 SHALL PROVIDE AN ACCESSIBLE ELECTRONIC INFORMATION SERVICE FOR ELIGIBLE
8 BLIND AND DISABLED PERSONS. THIS SERVICE SHALL BE PLANNED FOR CONTINUA-
9 TION FROM YEAR TO YEAR AND MAKE MAXIMUM USE OF FEDERAL AND OTHER FUNDS
10 AVAILABLE BY OBTAINING GRANT OR IN-KIND SUPPORT FROM APPROPRIATE
11 PROGRAMS AND SECURING ACCESS TO LOW-COST INTERSTATE RATES FOR TELECOMMU-
12 NICATIONS BY REIMBURSEMENT OR OTHERWISE.

13 2. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOW-
14 ING MEANINGS, UNLESS OTHERWISE INDICATED:

15 (A) "ACCESSIBLE ELECTRONIC INFORMATION SERVICE" MEANS NEWS AND OTHER
16 TIMELY INFORMATION (INCLUDING NEWSPAPERS) PROVIDED TO ELIGIBLE INDIVID-
17 UALS FROM A MULTI-STATE SERVICE CENTER, USING HIGH-SPEED COMPUTERS AND
18 TELECOMMUNICATIONS TECHNOLOGY FOR INTERSTATE ACQUISITION OF CONTENT AND
19 RAPID DISTRIBUTION IN A FORM APPROPRIATE FOR USE BY SUCH INDIVIDUALS;

20 (B) "BLIND AND DISABLED PERSONS" MEANS THOSE INDIVIDUALS WHO ARE
21 ELIGIBLE FOR LIBRARY LOAN SERVICES THROUGH THE LIBRARY OF CONGRESS AND
22 THE STATE LIBRARY FOR THE BLIND AND PHYSICALLY HANDICAPPED PURSUANT TO
23 36 CFR 701.10(B);

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

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(C) "DIRECTOR" MEANS THE DIRECTOR OF THE SELECTED NOT-FOR-PROFIT ENTITY;

(D) "QUALIFIED ENTITY" MEANS A NOT-FOR-PROFIT ENTITY WITHIN THIS STATE CAPABLE OF PROVIDING ACCESSIBLE ELECTRONIC INFORMATION SERVICES WHICH:

(I) PROVIDES INTERSTATE ACCESS FOR ELIGIBLE PERSONS TO READ DAILY NEWSPAPERS PRODUCING AUDIO EDITIONS BY COMPUTER, AND

(II) PROVIDES A MEANS OF PROGRAM ADMINISTRATION AND READER REGISTRATION ON THE INTERNET.

S 3. The state finance law is amended by adding a new section 99-q to read as follows:

S 99-Q. ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND. 1. THERE IS HEREBY ESTABLISHED IN THE CUSTODY OF THE STATE COMPTROLLER A SPECIAL REVENUE FUND TO BE KNOWN AS THE "ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND".

2. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS AND DEPOSITING THEM INTO THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND ACCORDING TO LAW.

3. THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND SHALL BE ADMINISTERED BY THE PUBLIC SERVICE COMMISSION, IN CONSULTATION WITH THE DIRECTOR, IN ACCORDANCE WITH THIS SECTION.

4. THE TARGETED ACCESSIBILITY FUND, INC., ESTABLISHED BY THE PUBLIC SERVICE COMMISSION IN ITS "ORDER AND OPINION 98-10", MAY ALLOCATE FUNDS FOR THE PURPOSE OF PROVIDING ELECTRONIC DISTRIBUTION OF NEWSPAPERS, PERIODICALS, TIME SENSITIVE MATERIALS, AND OTHER INFORMATION WHICH MAY BE OF BENEFIT TO THE COMMUNITY.

S 4. Subdivision 3 of section 95 of the state finance law, as amended by chapter 516 of the laws of 1992, is amended to read as follows:

3. Whenever the amount of moneys in the abandoned property fund as of the last day of any month shall exceed the greater of the sum of six million dollars or an amount which in the comptroller's sole discretion is necessary to satisfy claims against such fund during the immediately succeeding month, the comptroller shall draw a warrant or voucher upon such special fund for the amount in excess of such sum and shall pay such amount into the state treasury to the credit of the [general fund] ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND, ESTABLISHED IN SECTION NINETY-NINE-Q OF THIS ARTICLE. Notwithstanding the foregoing, the comptroller and the director of the budget or their respective designees shall review the balance remaining in the abandoned property fund as of the last day of the months of March, June, September and December in each year, as soon as practicable after each such date, and may mutually agree upon an amount to be paid from such fund into the state treasury to the credit of the [general fund] ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND, ESTABLISHED IN SECTION NINETY-NINE-Q OF THIS ARTICLE, which may cause the balance in such fund to fall below six million dollars; provided, however, in no event shall the amount of moneys in the abandoned property fund exceed seven hundred fifty thousand dollars at the end of the last day of the fiscal year.

S 5. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.