

3306

2009-2010 Regular Sessions

I N S E N A T E

March 16, 2009

Introduced by Sen. OPPENHEIMER -- 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 establish-
ing 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

4 ECONOMIC DEVELOPMENT PROGRAM EVALUATION ACT

5 SECTION 270. DEFINITION.

6 271. PROGRAM IMPLEMENTATION.

7 272. 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
10 EFFECTING THE ECONOMIC CONDITIONS OF THE STATE, PROVIDES TRAINING OR
11 EMPLOYMENT SERVICES, SUPPORTS AN ECONOMIC DEVELOPMENT ACTIVITY BY
12 ENHANCING THE SKILLS OF THE STATE'S WORKFORCE, PREPARES INDIVIDUALS FOR
13 EMPLOYMENT, IMPROVES OPPORTUNITIES FOR INDIVIDUALS TO BECOME EMPLOYED,
14 OR PROMOTES THE STATE ECONOMY.

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
19 INCLUDE A DESCRIPTION OF PROPOSED PROGRAM ACTIVITIES, A DESCRIPTION OF A
20 MECHANISM FOR FUNDING DISTRIBUTION, PROGRAM OBJECTIVES, POPULATION TO BE
21 SERVED, INSTITUTIONS ELIGIBLE TO RECEIVE FUNDS, AND A DESCRIPTION OF THE
22 COORDINATION AND LINKAGES BETWEEN THIS PROGRAM AND OTHER PROGRAM ACTIV-
23 ITIES FUNDED SEPARATELY. SUCH PLAN SHALL ALSO INCLUDE AN EVALUATION
24 COMPONENT AS PART OF THE IMPLEMENTATION OF EACH PROGRAM WHICH SHALL

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:

12 (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;

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

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

41 3. BASED ON THE REVIEW CONDUCTED PURSUANT TO PARAGRAPH (A) OF SUBDIVI-
42 SION TWO OF THIS SECTION, THE DEPARTMENT SHALL PREPARE A UNIFIED SUMMARY
43 OF EVALUATION REPORTS SUBMITTED BY EACH AGENCY PURSUANT TO THIS ARTICLE
44 FOR SUBMISSION TO THE SPEAKER OF THE ASSEMBLY AND THE TEMPORARY PRESI-
45 DENT OF THE SENATE NO LATER THAN JANUARY THIRTY-FIRST, TWO THOUSAND TEN
46 AND EACH YEAR THEREAFTER PROVIDED, HOWEVER, THAT THE DEPARTMENT SHALL
47 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.