

DEVELOPMENT PROGRAMS ALSO OFFER NO MEANS TO EVALUATE THE IMPACT OF STATE ASSISTANCE ON EMPLOYER DEMANDS FOR SKILLED WORKERS.

THE LEGISLATURE FURTHER FINDS THAT THROUGHOUT THE STATE, FORMAL AND INFORMAL ASSOCIATIONS OR GROUPS OF EMPLOYERS WITHIN A PARTICULAR INDUSTRY PRESENT IMPORTANT OPPORTUNITIES FOR NEW JOB GROWTH. THESE STRATEGIC ALLIANCES OF BUSINESSES AND INDUSTRIES OFFER A MEANS TO IDENTIFY AND ADDRESS THE NEED FOR SKILLED WORKERS WITHIN A PARTICULAR REGION OR INDUSTRY.

THE LEGISLATURE THEREFORE FINDS AND DECLARES THAT A PROGRAM OF TARGETED STATE ECONOMIC DEVELOPMENT ASSISTANCE SHALL BE ESTABLISHED TO IDENTIFY AND ADDRESS THE DEMAND FOR SKILLED WORKERS. THE LEGISLATURE DECLARES THAT SUCH ASSISTANCE SHALL BE PROVIDED TO ADDRESS THE DEMAND FOR SKILLED WORKERS WITHIN A PARTICULAR REGION OR INDUSTRY AND SHALL ADDRESS THE EMPLOYMENT NEEDS OF THE STATE'S EMERGING WORKFORCE.

S 205. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "ELIGIBLE APPLICANT" MEANS:

(A) A STRATEGIC ALLIANCE OR CONSORTIA OF SUCH ALLIANCES ACTING IN CONSULTATION WITH ONE OR MORE PRIVATE INDUSTRY COUNCILS ESTABLISHED PURSUANT TO THE FEDERAL JOB TRAINING PARTNERSHIP ACT (P.L. 97-300) OR A LOCAL WORKFORCE INVESTMENT BOARD ESTABLISHED PURSUANT TO SECTION 117 OF THE FEDERAL WORKFORCE INVESTMENT ACT (P.L. 105-220); OR

(B) A PRIVATE INDUSTRY COUNCIL OR CONSORTIA OF SUCH COUNCILS OR A WORKFORCE INVESTMENT BOARD OR CONSORTIA OF SUCH BOARDS ACTING ON BEHALF OF ONE OR MORE STRATEGIC ALLIANCES.

2. "STRATEGIC ALLIANCE" MEANS NETWORKS, ASSOCIATIONS, OR OTHER GROUPS OF EMPLOYERS WITHIN A TRAINING AREA, JOINED FORMALLY OR INFORMALLY FOR PURPOSES OF SOLVING COMMON PROBLEMS OR WORKING COOPERATIVELY.

3. "TRAINING AREA" MEANS A GEOGRAPHIC AREA IDENTIFIED AS A SERVICE DELIVERY AREA OR SERVICE DELIVERY AREAS PURSUANT TO THE FEDERAL JOB TRAINING PARTNERSHIP ACT (P.L. 97-300), OR A WORKFORCE INVESTMENT AREA OR WORKFORCE INVESTMENT AREAS ESTABLISHED PURSUANT TO THE FEDERAL WORKFORCE INVESTMENT ACT (P.L. 105-220).

4. "TRAINING PROVIDERS" MEANS COMMUNITY COLLEGES, AGRICULTURAL AND TECHNICAL COLLEGES, INSTITUTIONS OF HIGHER EDUCATION, LOCAL EDUCATION AGENCIES, COMMUNITY BASED ORGANIZATIONS, OR STRATEGIC ALLIANCES WHICH PROVIDE TRAINING SERVICES IN COOPERATION WITH ANOTHER TRAINING PROVIDER.

S 206. ADMINISTRATION. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT A STRATEGIC TRAINING ALLIANCE PROGRAM TO IDENTIFY AND ADDRESS EMPLOYER DEMANDS FOR SKILLED WORKERS WITHIN A TRAINING AREA. THE DEPARTMENT, IN COORDINATION WITH THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION, THE STATE UNIVERSITY OF NEW YORK, THE CITY UNIVERSITY OF NEW YORK, THE STATE EDUCATION DEPARTMENT, THE DEPARTMENT OF LABOR, AND ANY OTHER APPROPRIATE STATE AGENCIES, SHALL PROVIDE ASSISTANCE TO SUPPORT TRAINING ACTIVITIES BY ELIGIBLE APPLICANTS AS AUTHORIZED BY THIS ARTICLE.

2. THE DEPARTMENT SHALL:

(A) ON OR BEFORE OCTOBER FIRST OF EACH YEAR, PROVIDE PUBLIC NOTICE TO ELIGIBLE APPLICANTS AS TO THE AVAILABILITY OF FUNDS FOR TRAINING PURSUANT TO THIS ARTICLE;

(B) SOLICIT AND ACCEPT FOR REVIEW AND APPROVAL STRATEGIC TRAINING ALLIANCE PLANS SUBMITTED PURSUANT TO SECTION TWO HUNDRED SEVEN OF THIS ARTICLE;

(C) PROMOTE AWARENESS OF THE STRATEGIC TRAINING ALLIANCE PROGRAM AMONG BUSINESSES, BUSINESS ORGANIZATIONS, ASSOCIATIONS AND INDUSTRY CLUSTERS,

LABOR ORGANIZATIONS, AND REGIONAL AND LOCAL ECONOMIC DEVELOPMENT AGENCIES;

(D) ENSURE THAT AT LEAST FIFTY PERCENT OF THE MONEYS AVAILABLE FOR THE PURPOSES OF THIS ARTICLE ARE USED TO ASSIST SMALL BUSINESSES; AND

(E) ENSURE THAT AT LEAST TWENTY-FIVE PERCENT OF THE MONEYS MADE AVAILABLE PURSUANT TO THIS ARTICLE ARE EXPENDED FOR THE PURPOSE OF ASSISTING INDIVIDUALS WHO ARE UNEMPLOYED, ECONOMICALLY DISADVANTAGED, OR OTHERWISE ELIGIBLE TO PARTICIPATE IN PROGRAMS PURSUANT TO THE FEDERAL JOB TRAINING PARTNERSHIP ACT (P.L. 97-300) OR THE FEDERAL WORKFORCE INVESTMENT ACT (P.L. 105-220).

S 207. STRATEGIC TRAINING ALLIANCE PLAN. 1. AN ELIGIBLE APPLICANT MAY SUBMIT A PLAN FOR ASSISTANCE TO THE DEPARTMENT PURSUANT TO THIS ARTICLE. IN THE PREPARATION OF SUCH PLAN, AN ELIGIBLE APPLICANT SHALL CONSULT WITH LOCAL ELECTED OFFICIALS, LOCAL ECONOMIC DEVELOPMENT AGENCIES, OTHER EMPLOYERS, LABOR ORGANIZATIONS, LOCAL EDUCATION AGENCIES, COMMUNITY COLLEGES, AGRICULTURAL AND TECHNICAL COLLEGES, AND OTHER INSTITUTIONS OF HIGHER EDUCATION WITHIN THE TRAINING AREA.

2. PLANS SUBMITTED PURSUANT TO THIS ARTICLE SHALL INCLUDE:

(A) A BRIEF DESCRIPTION OF THE ECONOMY OF THE TRAINING AREA AND SECTORS OF ANTICIPATED JOB GROWTH OR LOSS;

(B) A STATEMENT OF NEED FOR ASSISTANCE AND THE IDENTIFICATION OF OTHER SOURCES OF PUBLIC AND PRIVATE SECTOR SUPPORT AVAILABLE FOR TRAINING ACTIVITIES WITHIN THE TRAINING AREA;

(C) A DESCRIPTION OF THE DEMAND FOR TRAINING WITHIN THE TRAINING AREA, BY OCCUPATION FOR EACH STRATEGIC ALLIANCE INCLUDED IN A PLAN, INCLUDING OCCUPATIONS FOR WHICH ANY WORKER SHORTAGES HAVE BEEN IDENTIFIED;

(D) A COMMITMENT BY STRATEGIC ALLIANCES WITHIN THE TRAINING AREA TO PROVIDE FINANCIAL ASSISTANCE OR IN-KIND CONTRIBUTIONS IN AN AMOUNT OF NOT LESS THAN FIFTY PERCENT OF THE FUNDS REQUESTED PURSUANT TO THIS ARTICLE;

(E) THE ESTIMATED NUMBER OF INDIVIDUALS TO BE TRAINED, NEWLY HIRED, AND RETAINED AS A RESULT OF SPECIFIC PROJECTS DEVELOPED PURSUANT TO PARAGRAPH (G) OF THIS SUBDIVISION, INCLUDING A DESCRIPTION OF PROCEDURES TO IDENTIFY AND REFER INDIVIDUALS WHO ARE UNEMPLOYED, ECONOMICALLY DISADVANTAGED, OR OTHERWISE ELIGIBLE TO PARTICIPATE IN PROGRAMS PURSUANT TO THE FEDERAL JOB TRAINING PARTNERSHIP ACT (P.L. 97-300) OR THE FEDERAL WORKFORCE INVESTMENT ACT (P.L. 105-220) FOR POSITIONS THAT ARE EITHER NEWLY CREATED OR FOR WHICH A VACANCY OCCURS AS A RESULT OF ASSISTANCE PROVIDED PURSUANT TO THIS ARTICLE;

(F) A DESCRIPTION OF ANY TELECOMMUNICATIONS, COMPUTER, OR INFORMATION TECHNOLOGIES OR SYSTEMS TO BE USED TO DISSEMINATE TRAINING SERVICES AND WORKFORCE EDUCATION IN PARTNERSHIP WITH COMMUNITY COLLEGES AND OTHER HIGHER EDUCATION INSTITUTIONS IN THE STATE;

(G) A DESCRIPTION OF SPECIFIC TRAINING PROJECTS TO ADDRESS THE NEEDS IDENTIFIED IN PARAGRAPH (C) OF THIS SUBDIVISION, INCLUDING:

(I) THE COST OF EACH PROJECT;

(II) THE NAME OF EACH EMPLOYER AND THE NUMBER OF EMPLOYEES OR NEW HIRES TO BE SERVED;

(III) THE TRAINING PROVIDERS FOR EACH INDIVIDUAL PROJECT;

(IV) A DESCRIPTION OF ANY TELECOMMUNICATION, COMPUTER, OR INFORMATION TECHNOLOGIES OR SYSTEMS TO BE USED TO PROVIDE A DECENTRALIZED SYSTEM TO DISSEMINATE TRAINING SERVICES AND WORKFORCE EDUCATION IN PARTNERSHIP WITH COMMUNITY COLLEGES AND OTHER HIGHER EDUCATION INSTITUTIONS TO STRATEGIC ALLIANCES AND INDIVIDUAL EMPLOYERS; AND

(V) ANTICIPATED OUTCOMES, INCLUDING THE NUMBER OF INDIVIDUALS TRAINED, HIRED, AND RETAINED, INCLUDING UNEMPLOYED, ECONOMICALLY DISADVANTAGED,

1 AND INDIVIDUALS OTHERWISE ELIGIBLE TO PARTICIPATE IN PROGRAMS PURSUANT
2 TO THE FEDERAL JOB TRAINING PARTNERSHIP ACT (P.L. 97-300) OR THE FEDERAL
3 WORKFORCE INVESTMENT ACT (P.L. 105-220).

4 3. WITHIN THIRTY DAYS OF THE RECEIPT OF A PLAN OR AN AMENDED PLAN
5 SUBMITTED PURSUANT TO SUBDIVISION FOUR OF THIS SECTION, THE COMMISSIONER
6 SHALL NOTIFY THE ELIGIBLE APPLICANT OF THE APPROVAL OR DISAPPROVAL OF
7 SUCH PLAN OR AMENDED PLAN. THE COMMISSIONER SHALL STATE IN WRITING THE
8 REASONS FOR THE DISAPPROVAL OF ANY PLAN OR AMENDED PLAN.

9 4. AN ELIGIBLE APPLICANT MAY SUBMIT AN AMENDMENT TO ANY PLAN APPROVED
10 BY THE COMMISSIONER, WHICH REFLECTS ECONOMIC CONDITIONS WHICH DID NOT
11 EXIST OR WERE NOT IDENTIFIED AT THE TIME OF THE SUBMITTAL OF THE
12 ORIGINAL PLAN. SUCH AMENDMENTS MAY INCLUDE ADDITIONS OR DELETIONS TO
13 PROJECTS SUBMITTED PURSUANT TO PARAGRAPH (G) OF SUBDIVISION TWO OF THIS
14 SECTION. AMENDMENTS TO AN APPROVED PLAN SHALL BE SUBMITTED IN CONSULTA-
15 TION WITH LOCAL ELECTED OFFICIALS, LOCAL ECONOMIC DEVELOPMENT AGENCIES,
16 OTHER EMPLOYERS, LABOR ORGANIZATIONS, LOCAL EDUCATION AGENCIES, COMMUNI-
17 TY COLLEGES, AGRICULTURAL AND TECHNICAL COLLEGES, AND OTHER INSTITUTIONS
18 OF HIGHER EDUCATION WITHIN THE TRAINING AREA. SUCH AMENDED PLANS SHALL
19 MEET ALL THE REQUIREMENTS SET FORTH IN THIS SECTION AND SHALL BE SUBJECT
20 TO APPROVAL OR DISAPPROVAL BY THE COMMISSIONER WITHIN THIRTY DAYS OF
21 RECEIPT BY THE DEPARTMENT.

22 S 208. ASSISTANCE. 1. ASSISTANCE PROVIDED PURSUANT TO THIS SECTION MAY
23 BE PROVIDED FOR THE FOLLOWING PURPOSES:

24 (A) CLASSROOM TRAINING, CURRICULUM DEVELOPMENT, AND TRAINING MATERI-
25 ALS, AS APPROPRIATE;

26 (B) COSTS ASSOCIATED WITH GAINING ACCESS TO TRAINING THROUGH TELECOM-
27 MUNICATIONS, COMPUTER, AND INFORMATION TECHNOLOGIES THROUGH COMMUNITY
28 COLLEGES AND OTHER HIGHER EDUCATION INSTITUTIONS IN THE STATE; AND

29 (C) COSTS DOCUMENTED BY AN EMPLOYER FOR ANY IN-HOUSE TRAINING, EXCLUD-
30 ING WAGE SUPPLANTATION OF WORKERS BEING TRAINED.

31 2. FOR ANY POSITIONS OPENED AS A RESULT OF ASSISTANCE PROVIDED UNDER
32 THIS ARTICLE, EMPLOYERS WITHIN STRATEGIC ALLIANCES SO ASSISTED SHALL
33 FIRST CONSIDER PERSONS ELIGIBLE TO PARTICIPATE IN FEDERAL JOB TRAINING
34 PARTNERSHIP ACT (P.L. 97-300) OR FEDERAL WORKFORCE INVESTMENT ACT (P.L.
35 105-220) PROGRAMS, WHO SHALL BE REFERRED TO THE EMPLOYER BY ADMINISTRA-
36 TIVE ENTITIES OF SERVICE DELIVERY AREAS CREATED PURSUANT TO SUCH ACT OR
37 BY THE COMMUNITY SERVICES DIVISION OF THE DEPARTMENT OF LABOR.

38 3. ADDITIONAL FUNDS SHALL BE PROVIDED BY THE DEPARTMENT PURSUANT TO
39 THIS ARTICLE FOR STATEWIDE AND REGIONAL INITIATIVES THAT CONTRIBUTE TO
40 THE DESIGN AND DEVELOPMENT OF TELECOMMUNICATIONS, COMPUTER, AND INFORMA-
41 TION TECHNOLOGIES AND SYSTEMS FOR THE IMPLEMENTATION OF AN ELECTRON-
42 ICALLY SUPPORTED TRAINING AND WORKFORCE EDUCATION SYSTEM TO MAXIMIZE THE
43 DISSEMINATION OF TRAINING AND WORKFORCE EDUCATION PRODUCTS TO ALL
44 EMPLOYERS OR STRATEGIC ALLIANCES WITHIN A TRAINING AREA, REGION, OR
45 THROUGHOUT THE STATE. SUCH FUNDS PROVIDED PURSUANT TO THIS ARTICLE SHALL
46 BE SUBJECT TO THE REVIEW AND APPROVAL OF THE NEW YORK STATE SCIENCE AND
47 TECHNOLOGY FOUNDATION.

48 4. ANY INNOVATIVE INCUMBENT WORKER TRAINING PROGRAMS WHICH ARE DEVEL-
49 OPED UNDER SECTION 134(A)(3)(A)(IV)(I) OF THE FEDERAL WORKFORCE INVEST-
50 MENT ACT (P.L. 105-220) AND WHICH ARE FUNDED THROUGH AMOUNTS RESERVED IN
51 SECTIONS 128(A) AND 133(A)(1) OF SUCH ACT SHALL BE DESIGNED, APPROVED,
52 AND IMPLEMENTED IN A MANNER CONSISTENT WITH THE REQUIREMENTS OF THIS
53 ARTICLE, EXCEPT THAT ASSISTANCE MAY BE PROVIDED FOR EMPLOYER LOAN
54 PROGRAMS. STRATEGIC ALLIANCES, IN COORDINATION WITH LOCAL WORKFORCE
55 INVESTMENT BOARDS, MAY PROPOSE PROGRAMS EITHER AS PART OF AN INTEGRATED

1 TRAINING PLAN SUBMITTED PURSUANT TO SECTION TWO HUNDRED SEVEN OF THIS
2 ARTICLE OR AS A SEPARATE PROJECT.

3 S 209. REPORTING AND EVALUATION. 1. EACH ELIGIBLE APPLICANT IN
4 RECEIPT OF ASSISTANCE PURSUANT TO THIS ARTICLE SHALL REPORT TO THE
5 DEPARTMENT NO LATER THAN APRIL FIRST OF EACH YEAR. THE REPORT SHALL
6 INCLUDE, BUT NOT BE LIMITED TO:

7 (A) THE NAMES OF EACH EMPLOYER OR STRATEGIC ALLIANCE WHICH HAS
8 RECEIVED ASSISTANCE;

9 (B) A DESCRIPTION OF THE TRAINING PROVIDED; AND

10 (C) THE NUMBER OF INDIVIDUALS TRAINED, RETAINED, OR NEWLY HIRED,
11 INCLUDING THOSE WHO WERE PREVIOUSLY UNEMPLOYED, ECONOMICALLY DISADVAN-
12 TAGED, OR OTHERWISE ELIGIBLE TO PARTICIPATE IN PROGRAMS PURSUANT TO THE
13 FEDERAL JOB TRAINING PARTNERSHIP ACT (P.L. 97-300) OR THE FEDERAL WORK-
14 FORCE INVESTMENT ACT (P.L. 105-220) FOR WHOM VACANCIES OCCURRED AS A
15 RESULT OF ASSISTANCE PROVIDED PURSUANT TO THIS ARTICLE.

16 2. NO LATER THAN SEPTEMBER THIRTIETH OF EACH YEAR, THE COMMISSIONER
17 SHALL REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE, AND
18 THE SPEAKER OF THE ASSEMBLY ON THE IMPLEMENTATION OF THE STRATEGIC
19 TRAINING ALLIANCE PROGRAM. THE REPORT SHALL INCLUDE INFORMATION ON EACH
20 INDIVIDUAL PROJECT FUNDED PURSUANT TO THIS ARTICLE BY TRAINING AREA,
21 INCLUDING THE IDENTIFICATION OF INDIVIDUAL EMPLOYERS AND STRATEGIC ALLI-
22 ANCES RECEIVING ASSISTANCE, THE NUMBER OF INDIVIDUALS TRAINED, AND ANY
23 OTHER OUTCOMES AS APPROPRIATE.

24 3. THE DEPARTMENT SHALL SUBMIT TO THE DIRECTOR OF THE DIVISION OF THE
25 BUDGET, THE CHAIRPERSON OF THE SENATE FINANCE COMMITTEE, AND THE CHAIR-
26 PERSON OF THE ASSEMBLY WAYS AND MEANS COMMITTEE AN EVALUATION OF THIS
27 PROGRAM PREPARED BY AN ENTITY INDEPENDENT OF THE DEPARTMENT. SUCH EVALU-
28 ATION SHALL BE SUBMITTED BY SEPTEMBER FIRST, TWO THOUSAND ELEVEN AND BY
29 SEPTEMBER FIRST EVERY TWO YEARS THEREAFTER.

30 S 2. Section 16-j of section 1 of chapter 174 of the laws of 1968,
31 constituting the urban development corporation act, is REPEALED.

32 S 3. This act shall take effect immediately.