

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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1 (C) "DIRECTOR" MEANS THE DIRECTOR OF THE SELECTED NOT-FOR-PROFIT ENTI-
2 TY;

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

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

7 (II) PROVIDES A MEANS OF PROGRAM ADMINISTRATION AND READER REGISTRA-
8 TION ON THE INTERNET.

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

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

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

18 3. THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND SHALL BE ADMIN-
19 ISTERED BY THE PUBLIC SERVICE COMMISSION, IN CONSULTATION WITH THE
20 DIRECTOR, IN ACCORDANCE WITH THIS SECTION.

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

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

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

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