

3306

2009-2010 Regular Sessions

I N   S E N A T E

March 16, 2009

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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.