S T A T E O F N E W Y O R K

6096

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to creating an interagency workgroup on entrepreneurship for people with disabilities as a standing committee of the most integrated settings coordinating council (MISCC) to provide consistency in state policy, and to establish a pool of funding for business start up and expansion using the individual development account (IDA) matching funds mechanism

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

Section 1. The executive law is amended by adding a new article 19-e to read as follows:

ARTICLE 19-E

INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH DISABILITIES

SECTION 460. INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH DISABILITIES.

S 460. INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH DISABILITIES. 1. THERE IS HEREBY CREATED AN INTERAGENCY WORKGROUP ON ENTREPRENEURSHIP FOR PEOPLE WITH DISABILITIES TO FACILITATE INTERAGENCY PLANNING AND POLICY, REVIEW SPECIFIC AGENCY INITIATIVES FOR THEIR IMPACT ON SERVICES RELATED TO EMPLOYMENT AND ENTREPRENEURSHIP OF PEOPLE WITH DISABILITIES, IDENTIFY BARRIERS AND FACILITATORS TO SELF-EMPLOYMENT AT THE POLICY AND PROGRAM LEVELS ACROSS AGENCIES, RECOMMEND IMPROVEMENTS IN POLICY AND PROGRAM, AND PROVIDE A CONTINUING FORUM FOR CONCERNS AND DISCUSSION RELATED TO THE FORMULATION OF A COMPREHENSIVE STATE POLICY RELATING TO EMPLOYMENT AND ENTREPRENEURSHIP AMONG PEOPLE WITH DISABILITIES.

2. THE INTERAGENCY WORKGROUP SHALL BE COMPRISED OF TWENTY-FIVE MEMBERS AS FOLLOWS: THE COMMISSIONER OF HEALTH, THE DIRECTOR OF THE STATE OFFICE FOR THE AGING, THE COMMISSIONER OF CHILDREN AND FAMILY SERVICES, THE COMMISSIONER OF EDUCATION, THE COMMISSIONER OF MENTAL HEALTH, THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES,

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

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THE EXECUTIVE DIRECTOR OF THE DEVELOPMENTAL DISABILITIES PLANNING COUNCIL, THE CHANCELLOR OF THE STATE UNIVERSITY OF NEW YORK, THE CHANCELLOR OF THE CITY UNIVERSITY OF NEW YORK, THE COMMISSIONER OF THE DEPARTMENT OF LABOR, THE COMMISSIONER OF ECONOMIC DEVELOPMENT, AND THE DIRECTOR OF THE OFFICE OF ALCOHOL AND SUBSTANCE ABUSE SERVICES, ANY OF WHOM SHALL SERVE EX-OFFICIO AND WHO MAY DESIGNATE AS REPRESENTATIVES PERSONS WITH RESPONSIBILITY FOR ENTREPRENEURIAL DEVELOPMENT WITHIN THE AGENCY OR PERSONS WHO MAY HAVE DIRECT RESPONSIBILITY FOR VOCATIONAL, EDUCATION, OR TRAINING SERVICES FOR PERSONS WITH DISABILITIES TO ACT ON THEIR BEHALF. THE GOVERNOR SHALL APPOINT SEVEN OTHER MEMBERS WITH EXPERTISE IN DISABILITY EMPLOYMENT AND ENTREPRENEURIAL ISSUES, AT LEAST TWO OF WHOM SHALL REPRESENT NOT-FOR-PROFIT CORPORATIONS WHOSE PRIMARY PURPOSE IS TO PROVIDE PROGRAMS IN TRAINING, SERVICES, AND ENTREPRENEURSHIP FOR PERSONS WITH DISABILITIES. SIX MEMBERS SHALL BE APPOINTED BY THE GOVERNOR ON THE RECOMMENDATION OF THE LEGISLATIVE LEADERS AS FOLLOWS: THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY SHALL EACH RECOMMEND TWO MEMBERS TO THE COUNCIL. ONE OF THE TWO MEMBERS RECOMMENDED BY THE TEMPORARY PRESIDENT AND ONE OF THE TWO MEMBERS RECOMMENDED BY THE SPEAKER SHALL BE AN ENTREPRENEURIAL EXPERT IN THE FIELD OF PERSONS WITH DISABILITIES AND THE OTHER MEMBERS APPOINTED BY EACH SHALL BE A FAMILY MEMBER OR CAREGIVER OF A PERSON WITH DISABILITIES WHO IS CURRENTLY AN ENTREPRENEUR. ONE MEMBER SHALL BE APPOINTED ON THE RECOMMENDATION OF THE MINORITY LEADER OF THE SENATE AND ONE MEMBER SHALL BE APPOINTED ON THE RECOMMENDATION OF THE MINORITY LEADER OF THE ASSEMBLY. THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES SHALL SERVE, EX-OFFICIO OF THE COUNCIL. ADMINISTRATIVE DUTIES SHALL BE THE RESPONSIBILITY OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES. THE MEMBERS OF THE INTERAGENCY WORKGROUP SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES.

3. WITHIN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION, THE INTERAGENCY WORKGROUP SHALL CONDUCT COMMUNITY FORUMS TO GAIN INPUT FROM CONSUMERS, PROVIDERS, KEY RESEARCHERS IN THE FIELD AND OTHER INTERESTED PARTIES TO PROVIDE INPUT AND DIRECTION ON DEVELOPING A NEW YORK STATE PLAN FOR A COMPREHENSIVE SYSTEM OF SERVICES RELATED TO EMPLOYMENT AND ENTREPRENEURSHIP OF PEOPLE WITH DISABILITIES. A COMMUNITY FORUM SHALL BE CONDUCTED IN EACH OF THE TEN ECONOMIC DEVELOPMENT REGIONAL COUNCILS TO BE ESTABLISHED BY AN EXECUTIVE ORDER. THE STATE PLAN SHALL INCLUDE BUT NOT BE LIMITED TO IDENTIFYING BARRIERS AND FACILITATORS TO SELF-EMPLOYMENT BY PERSONS WITH DISABILITIES, IDENTIFYING BEST PRACTICES IN DEVELOPING ENTREPRENEURSHIP AND EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES, BEST APPROACHES TO TRAINING INDIVIDUALS TO AID IN THE DEVELOPMENT OF ENTREPRENEURIAL AND EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES, A COMMUNITY ASSESSMENT OF STRENGTHS AND GAPS IN COMMUNITY SUPPORT SERVICES, WAYS IN WHICH TO COORDINATE SERVICES AMONG VARIOUS SYSTEMS, DIFFERENT FINANCING APPROACHES TO PAY FOR SUPPORT SERVICES AND ANY OTHER RECOMMENDATIONS.

4. THE INTERAGENCY WORKGROUP SHALL MEET QUARTERLY OR MORE FREQUENTLY IF ITS BUSINESS SHALL REQUIRE. THE COMMUNITY FORUMS IN THE FIRST YEAR OF IMPLEMENTATION COUNT AS A FORMAL MEETING OF THE COUNCIL. THE MEMBERS OF THE INTERAGENCY WORKGROUP SHALL RECEIVE NO COMPENSATION BUT SHALL BE REIMBURSED FOR TRAVEL AND OTHER EXPENSES ACTUALLY AND NECESSARILY INCURRED IN THE PERFORMANCE OF THEIR DUTIES. THE INTERAGENCY WORKGROUP SHALL PROVIDE REPORTS TO THE GOVERNOR AND THE LEGISLATURE ON OR BEFORE JUNE THIRTIETH, TWO THOUSAND TWELVE AND BY JUNE THIRTIETH OF EVERY OTHER YEAR THEREAFTER. SUCH REPORTS SHALL INCLUDE RECOMMENDATIONS FOR STATE POLICY RELATING TO EMPLOYMENT AND ENTREPRENEURIAL SERVICES FOR PEOPLE

WITH DISABILITIES. THE INTERAGENCY WORKGROUP SHALL ALSO REVIEW AND REPORT ON BEST PRACTICES OF PROVIDERS WORKING TO DEVELOP EMPLOYMENT AND ENTREPRENEURIAL OPPORTUNITIES FOR PEOPLE WITH DISABILITIES.

5. THE INTERAGENCY WORKGROUP SHALL ADDITIONALLY EXAMINE ACCESSIBILITY REQUIREMENTS FOR ALL STATE WEB-BASED INFORMATION TECHNOLOGY, IN ORDER TO EXPAND THAT POLICY TO OTHER FORMS OF ELECTRONIC AND INFORMATION TECHNOLOGY PURCHASED, DEVELOPED, OR USED BY STATE AGENCIES, AND SHALL CONSIDER IN DEVELOPING RECOMMENDATIONS AND PROCEDURES WITH REGARD TO THIS, FEDERAL POLICY WITH REGARD TO SUCH INFORMATION AND APPLICATIONS. THE PURPOSE OF SUCH ACCESSIBILITY REQUIREMENT CHANGES SHALL BE TO IMPROVE EMPLOYMENT AND ADVANCEMENT OPPORTUNITIES FOR PEOPLE WITH DISABILITIES, AND ACCESS TO GOVERNMENT SERVICES AND INFORMATION.

6. THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES SHALL SERVE AS THE FOCAL POINT TO DEVELOP COMPREHENSIVE COORDINATED RESPONSES OF THE VARIOUS STATE AGENCIES WITH REGARD TO EMPLOYMENT AND ENTREPRENEURIAL OPPORTUNITIES FOR PERSONS WITH DISABILITIES. THE OFFICE, IN CONSULTATION WITH THE INTERAGENCY WORKGROUP, SHALL UTILIZE DATA AND INFORMATION COMPILED AND MAINTAINED PURSUANT TO THIS SECTION TO COORDINATE STATE FUNDED RESEARCH EFFORTS TO ENSURE THE MOST EFFICIENT USE OF FUNDS AVAILABLE FOR THIS PURPOSE. THE OFFICE MAY ENGAGE A NATIONALLY KNOWN ENTITY IN THE AREAS OF ENTREPRENEURSHIP AND EMPLOYMENT FOR PEOPLE WITH DISABILITIES WHICH IS AFFILIATED WITH AN ACADEMIC OR RESEARCH INSTITUTION TO AID IN THE DEVELOPMENT AND IMPLEMENTATION OF THE PLAN AND REVIEW OF PROGRAM AND POLICY.

7. THERE IS HEREBY CREATED UNDER THE AUSPICE OF THE INTERAGENCY WORKGROUP THE INDIVIDUAL DEVELOPMENT ACCOUNT PILOT PROGRAM FOR THE DEVELOPMENT OF BUSINESS STARTUP AND EXPANSION BY PERSONS WITH DISABILITIES. THE INTERAGENCY WORKGROUP SHALL DEVELOP AN APPLICATION AND REVIEW PROCESS FOR THE DEVELOPMENT OF THE PROGRAM IN TEN SITES, PROVIDED THAT IN EACH SITE INDIVIDUAL DEVELOPMENT ACCOUNTS SHALL BE ADMINISTERED BY COMMUNITY DEVELOPMENT CREDIT UNIONS. PROSPECTIVE ENTREPRENEURS WITH DISABILITIES SHALL DEPOSIT THEIR OWN EARNINGS INTO SUCH ACCOUNTS, AND RECEIVE TRAINING IN FINANCIAL LITERACY AND ENTREPRENEURSHIP. EACH ACCOUNT SHALL HAVE A MATCHING REQUIREMENT AND THE ACCOUNTS SHALL BE RELEASED TO INDIVIDUAL ENTREPRENEURS WITH DISABILITIES WHEN THE ENTREPRENEUR HAS DEPOSITED SUFFICIENT FUNDS TO REACH THE MATCH AMOUNT. MATCH REQUIREMENTS SHALL BE SET MINIMALLY AT A ONE TO ONE RATIO. EACH PROJECT SITE MAY RECEIVE AN INVESTMENT NOT TO EXCEED FIFTY THOUSAND DOLLARS. PROJECT SITES SHALL BE CHOSEN TO PROVIDE GEOGRAPHIC BALANCE BETWEEN URBAN, RURAL, AND SUBURBAN AREAS.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.