



State of New York
Executive Chamber

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED OCT 11 1983

A. S. S. J.
Secretary of State

No. 26

E X E C U T I V E O R D E R

DIRECTING THE STATE OFFICE OF ADVOCATE FOR THE DISABLED
TO REVIEW AND COMMENT UPON POLICIES AFFECTING PERSONS WITH DISABILITIES.

WHEREAS, it is the policy of the State of New York that the Office of Advocate for the Disabled advise and assist the Governor in developing policies designed to help meet the needs of persons with disabilities and to encourage the full participation of persons with disabilities in society;

WHEREAS, persons with disabilities comprise a major segment of New York State's population whose particular needs and concerns must be considered as an integral part of the planning and implementation of all State programs and services affecting their lives and well-being;

WHEREAS, the primary tasks of the Office of Advocate for the Disabled are advocacy on behalf of persons with disabilities and assuring that persons with disabilities are afforded the opportunity to exercise all of the rights and responsibilities accorded to citizens of this State;

WHEREAS, the Office of Advocate for the Disabled is the State's coordinator for implementation of Section 504 of the federal Rehabilitation Act of 1973, as amended, and, as such, is charged with coordinating State activities which insure that federally-assisted programs do not discriminate against persons with disabilities; and

WHEREAS, the Office of Advocate for the Disabled has a major responsibility for promoting equal employment opportunity in State government for persons with disabilities, among other protected classes, pursuant to Executive Order No. 6;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, I, Mario M. Cuomo, Governor of the State of New York, do hereby order as follows:

I. Submission, Reviews and Recommendations

A. Each division within the Executive Department and all other departments of the State shall submit to the Office of Advocate for the Disabled for review proposed legislation, regulations, orders and plans which may significantly affect the lives or well-being of persons with disabilities in the State. Such matters shall, in the case of proposed legislation, be submitted at least thirty days prior to submission to the Legislature and, in the case of regulations, orders, and plans, at least thirty days prior to the effective date.

B. The Office of Advocate for the Disabled shall review and report upon all matters of significance submitted to it. The Office shall submit reports or other comments where appropriate to the division or department which referred such matter to the Office of Advocate for the Disabled, to the Office of the Secretary of the Governor and, in the case of proposed legislation or regulations, to the Office of the Counsel to the Governor. Such reports or other comments shall, to the extent practical, address:

- the impact of the proposed legislation, regulation, order, or plan upon persons with disabilities;
- the relationship and impact of such proposals on existing programs affecting persons with disabilities;
- recommendations upon (i) the desirability of such proposals, and (ii) modifications that would enhance the impact of the proposal upon persons with disabilities or aid in the implementation of the new proposal.

C. Each Division and Department shall notify the Office of Advocate for the Disabled, the Office of the Secretary to the Governor and, in the case of proposed legislation or regulations, the Office of the Counsel to the Governor of any action taken by it as a result of the recommendations made by the Office of Advocate for the Disabled.

D. For purposes of this Order, the term "person with a disability" shall mean any person who (i) has a physical or mental impairment, including, but not limited to, those of neurological, emotional or sensory origins, which substantially limits one or more of such person's major activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

II. Cooperation

All State agencies contemplating actions that would be subject to review under this Order shall inform the Office of Advocate for the Disabled as early as possible in the process of developing such proposals and shall cooperate with the Office of Advocate for the Disabled in carrying out these responsibilities to assure that appropriate consideration is given the needs and concerns of persons with disabilities.

G I V E N under my hand and the Privy
Seal of the State in the City
of New York this seventh
day of October in the year
one thousand nine hundred
eighty-three.



BY THE GOVERNOR

Michael J. Del Guadagnolo
Secretary to the Governor

Marion H. Lewis

STATE OF NEW YORK
DEPARTMENT OF STATE

FILED OCT 11 1983

Al S. Staff
Secretary of State