

IN THE SENATE

SENATE BILL NO. 1268

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE COUNCIL ON DEVELOPMENTAL DISABILITIES; AMENDING SECTION
67-6704, IDAHO CODE, TO REVISE PROVISIONS REGARDING COUNCIL MEMBERSHIP
AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-6704, Idaho Code, be, and the same is hereby
amended to read as follows:

67-6704. COMPOSITION. (1) The council shall consist of twenty-three
(23) members to be appointed by the governor, at least sixty percent (60%)
of whom shall be individuals with developmental disabilities, parents
or guardians of children with developmental disabilities, or immediate
relatives or guardians of adults with mentally impairing developmental
disabilities who cannot advocate for themselves. These members shall not
represent any other category of membership.

(2) At least five (5) of the members shall be persons with a develop-
mental disability, and at least seven (7) of the members shall be parents or
guardians of ~~such persons, and who are not officers or employees of an entity
or state agency which receives funds for, or provides services to, develop-
mentally disabled persons~~ children with a developmental disability. One (1)
additional member shall be either a person with a developmental disability
or the parent of a ~~person~~ child with a developmental disability. These mem-
bers shall not be employees of a state agency that receives funds or provides
services under P.L. 106-402 or managing employees of any other entity that
receives funds or provides services under P.L. 106-402. For purposes of this
subsection, "managing employee" shall have the same meaning as in 42 U.S.C.
1320a-5(b).

(3) The principal state agencies concerned with services or programs
affecting individuals with developmental disabilities shall be represented
as members of the council, including entities responsible for administering
funds under:

- (a) The rehabilitation act of 1973 (29 U.S.C. ~~section~~ 701 et seq.);
- (b) The individuals with disabilities education act (20 U.S.C. ~~section~~
1400 et seq.);
- (c) The older ~~a~~Americans act of 1965 (42 U.S.C. ~~section~~ 3001 et seq.);
- (d) Titles V and XIX of the social security act (42 U.S.C. ~~section~~ 701 et
seq. and ~~section~~ 42 U.S.C. 1396 et seq.).
- (4) The council shall also have representation from:
 - (a) The state protection and advocacy organization;
 - (b) The university center for excellence in developmental disabilities
education, research and service.

One (1) representative may represent more than one (1) program or service.

1 (5) The remainder of the members shall be representatives of local and
2 nongovernmental agencies and private nonprofit groups concerned with ser-
3 vices for individuals with developmental disabilities pursuant to P.L. 106-
4 402 and council bylaws required by section 67-6707(2), Idaho Code.

5 (6) The membership of the council shall be geographically representa-
6 tive of the state and reflect the diversity of the state with respect to race
7 and ethnicity.