

SENATE BILL NO. *277*

INTRODUCED BY *[Signature]*
BY REQUEST OF THE DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT TO MODIFY THE MEMBERSHIP OF THE DEVELOPMENTAL DISABILITIES PLANNING AND ADVISORY COUNCIL; AND AMENDING SECTION 2-15-2204, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-15-2204, MCA, is amended to read:

"2-15-2204. Developmental disabilities planning and advisory council. (1) The governor shall appoint a developmental disabilities planning and advisory council in accordance with the provisions of this section.

(2) The council is composed of ~~22~~ at least 24 but no more than 26 members and consists of the following:

(a) the directors of the departments of social and rehabilitation services, health and environmental sciences, and institutions, and family services or their designees;

(b) the superintendent of public instruction or a designee;

(c) one recognized private professional in each discipline the disciplines of medicine, and law, psychology, social work, and special education;

(d) ~~two members~~ one member of the state senate;

(e) ~~two members~~ one member of the state house of representatives;

(f) ~~four consumers or representatives of consumers or consumer organizations in the discipline of developmental disabilities, and~~ seven persons each of whom has a developmental disability or who is an immediate family member or guardian of a person with a developmental disability;

(g) one member of each of the five regional councils provided for in 53-20-207, who ~~shall also be consumers or representatives of consumers or consumer organizations in the discipline of developmental disabilities~~ has a developmental disability or is an immediate family member or guardian of a person with a developmental disability;

(h) the director of the university-affiliated or satellite program on developmental disabilities, created pursuant to 42 U.S.C. 6031, or a designee of the director;

(i) the director of the state protection and advocacy system, created pursuant to 42 U.S.C. 6012, or a designee of the director; and

(j) a representative of a statewide developmental disabilities service provider organization whose member agencies provide direct services to persons with developmental disabilities.



1 (3) (a) Each member or his designee who serves on the
 2 council pursuant to subsection (2)(a), ~~or (2)(b), (2)(h), or~~
 3 (2)(i) of--this--section shall serve for a term concurrent
 4 with his respective term as a director or the superintendent
 5 of public instruction, as the case may be. Upon his removal
 6 from office, his or his designee's term as a member of the
 7 council is automatically terminated and his successor in
 8 office or his successor's designee is automatically a member
 9 of the council.

10 (b) Each member who serves on the council pursuant to
 11 subsection (2)(d) or (2)(e) ~~of--this--section~~ shall be
 12 appointed or reappointed annually by the governor.

13 (c) Eight of the members serving on the council
 14 pursuant to subsection (2)(c), (2)(f), ~~or (2)(g), (2)(j), or~~
 15 (3)(d) of--this--section shall be appointed by the governor to
 16 serve for terms concurrent with the gubernatorial term and
 17 until their successors are appointed. The remaining ~~six~~
 18 members serving on the council pursuant to subsection
 19 (2)(c), (2)(f), (2)(g), (2)(j), or (3)(d) shall be appointed
 20 by the governor to serve for terms ending on January 1 of
 21 the third year of the succeeding gubernatorial term and
 22 until their successors are appointed.

23 (d) Representatives named to the council pursuant to
 24 this section, in addition to fulfilling the requirements
 25 listed in subsections (2)(a) through (2)(j), may also be

1 selected to represent the following areas: psychology,
 2 social work, special education, and minority groups,
 3 including Native Americans with developmental disabilities.
 4 A minimum of one member of the council shall represent each
 5 of these areas. In the event that the persons listed in
 6 subsections (2)(a) through (2)(j) do not represent all of
 7 the areas of psychology, social work, special education, and
 8 minority groups, including Native Americans with
 9 developmental disabilities, up to two representatives may be
 10 added to the membership of the council to represent not more
 11 than two of these groups.

12 (4) The council is allocated to the department for
 13 administrative purposes only and, unless inconsistent with
 14 the provisions of this section and 53-20-206, the provisions
 15 of 2-15-121 apply."

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0277, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


An act to modify the membership of the Developmental Disabilities Planning and Advisory Council.

ASSUMPTIONS:

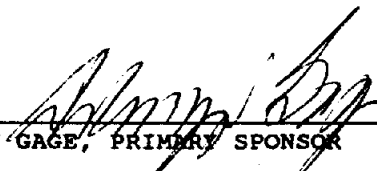
1. Current level funding of the DDPAC program in the Department of Social and Rehabilitation Services includes staff support for the council.
2. DDPAC is funded by a capped federal grant which requires 35% to be expended for operating cost and 65% for benefits.
3. DDPAC must operate within the federal grant amount.

FISCAL IMPACT:

None



ROD SUNDSTED, BUDGET DIRECTOR 2-18-91 DATE
Office of Budget and Program Planning



DELWYN GAGE, PRIMARY SPONSOR 2/18/91 DATE
Fiscal Note for SB0277, as introduced SB 277

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

1 SENATE BILL NO. 277
2 INTRODUCED BY GAGE
3 BY REQUEST OF THE DEPARTMENT OF
4 SOCIAL AND REHABILITATION SERVICES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO MODIFY THE
7 MEMBERSHIP OF THE DEVELOPMENTAL DISABILITIES PLANNING AND
8 ADVISORY COUNCIL; AND AMENDING SECTION 2-15-2204, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 2-15-2204, MCA, is amended to read:

12 "2-15-2204. Developmental disabilities planning and
13 advisory council. (1) The governor shall appoint a
14 developmental disabilities planning and advisory council in
15 accordance with the provisions of this section.

16 (2) The council is composed of ~~22~~ at least 24 but no
17 more than 26 members and consists of the following:

18 (a) the directors of the departments of social and
19 rehabilitation services, health and environmental sciences,
20 and institutions, and family services or their designees;

21 (b) the superintendent of public instruction or a
22 designee;

23 (c) one TWO recognized private professional
24 PROFESSIONALS, ONE EACH in ~~each-discipline~~ the disciplines
25 of medicine, and law, psychology, social work, and special

1 education;

2 (d) ~~two-members~~ one member of the state senate;

3 (e) ~~two-members~~ one member of the state house of
4 representatives;

5 (f) ~~four-consumers-or-representatives-of-consumers-or~~
6 ~~consumer-organizations-in-the-discipline-of-developmental~~
7 ~~disabilities, and seven persons each of whom has a~~
8 ~~developmental disability or who is an immediate family~~
9 ~~member or guardian of a person with a developmental~~
10 ~~disability;~~

11 (g) one member of each of the five regional councils
12 provided for in 53-20-207, who ~~shall-also-be-consumers-or~~
13 ~~representatives-of-consumers-or-consumer-organizations-in~~
14 ~~the-discipline-of-developmental-disabilities~~ has a
15 developmental disability or is an immediate family member or
16 guardian of a person with a developmental disability;

17 (h) the director of the university-affiliated or
18 satellite program on developmental disabilities, created
19 pursuant to 42 U.S.C. 6031, or a designee of the director;

20 (i) the director of the state protection and advocacy
21 system, created pursuant to 42 U.S.C. 6012, or a designee of
22 the director; and

23 (j) a representative of a statewide developmental
24 disabilities service provider organization whose member
25 agencies provide direct services to persons with

SECOND READING
SB 277



1 developmental disabilities.

2 (3) (a) Each member or his designee who serves on the
3 council pursuant to subsection (2)(a), or (2)(b), (2)(h), or
4 (2)(i) of this section shall serve for a term concurrent
5 with his respective term as a director or the superintendent
6 of public instruction, as the case may be. Upon his removal
7 from office, his or his designee's term as a member of the
8 council is automatically terminated and his successor in
9 office or his successor's designee is automatically a member
10 of the council.

11 (b) Each member who serves on the council pursuant to
12 subsection (2)(d) or (2)(e) of--this--section shall be
13 appointed or reappointed annually by the governor.

14 (c) Eight of the members serving on the council
15 pursuant to subsection (2)(c), (2)(f), or (2)(g), (2)(j), or
16 (3)(d) of this section shall be appointed by the governor to
17 serve for terms concurrent with the gubernatorial term and
18 until their successors are appointed. The remaining ~~six~~
19 members serving on the council pursuant to subsection
20 (2)(c), (2)(f), (2)(g), (2)(j), or (3)(d) shall be appointed
21 by the governor to serve for terms ending on January 1 of
22 the third year of the succeeding gubernatorial term and
23 until their successors are appointed.

24 (d) Representatives named to the council pursuant to
25 this section, in addition to fulfilling the requirements

1 listed in subsections (2)(a) through (2)(j), may also be
2 selected to represent the following areas: psychology,
3 social work, special education, and minority groups,
4 including Native Americans with developmental disabilities.
5 A minimum of one member of the council shall represent each
6 of these areas. In the event that the persons listed in
7 subsections (2)(a) through (2)(j) do not represent all of
8 the areas of psychology, social work, special education, and
9 minority groups, including Native Americans with
10 developmental disabilities, up to two representatives may be
11 added to the membership of the council to represent not more
12 than two of these groups.

13 (4) The council is allocated to the department for
14 administrative purposes only and, unless inconsistent with
15 the provisions of this section and 53-20-206, the provisions
16 of 2-15-121 apply."

-End-

1 SENATE BILL NO. 277

2 INTRODUCED BY GAGE

3 BY REQUEST OF THE DEPARTMENT OF
4 SOCIAL AND REHABILITATION SERVICES5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO MODIFY THE
7 MEMBERSHIP OF THE DEVELOPMENTAL DISABILITIES PLANNING AND
8 ADVISORY COUNCIL; AND AMENDING SECTION 2-15-2204, MCA."9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 2-15-2204, MCA, is amended to read:

12 "2-15-2204. Developmental disabilities planning and
13 advisory council. (1) The governor shall appoint a
14 developmental disabilities planning and advisory council in
15 accordance with the provisions of this section.16 (2) The council is composed of ~~22~~ at least 24 but no
17 more than 26 members and consists of the following:18 (a) the directors of the departments of social and
19 rehabilitation services, health and environmental sciences,
20 and institutions, and family services or their designees;21 (b) the superintendent of public instruction or a
22 designee;23 (c) one TWO recognized private professional
24 PROFESSIONALS, ONE EACH in each-discipline the disciplines
25 of medicine, and law, psychology, social work, and special

1 education;

2 (d) two-members one member of the state senate;3 (e) two--members one member of the state house of
4 representatives;5 (f) four-consumers-or-representatives-of--consumers--or
6 consumer--organizations--in--the-discipline-of-developmental
7 disabilities;--and seven persons each of whom has a
8 developmental disability or who is an immediate family
9 member or guardian of a person with a developmental
10 disability;11 (g) one member of each of the five regional councils
12 provided for in 53-20-207, who shall-also--be--consumers--or
13 representatives--of--consumers--or-consumer-organizations-in
14 the--discipline--of--developmental--disabilities has a
15 developmental disability or is an immediate family member or
16 guardian of a person with a developmental disability;17 (h) the director of the university-affiliated or
18 satellite program on developmental disabilities, created
19 pursuant to 42 U.S.C. 6031, or a designee of the director;20 (i) the director of the state protection and advocacy
21 system, created pursuant to 42 U.S.C. 6012, or a designee of
22 the director; and23 (j) a representative of a statewide developmental
24 disabilities service provider organization whose member
25 agencies provide direct services to persons with

THIRD READING

1 developmental disabilities.

2 (3) (a) Each member or his designee who serves on the
3 council pursuant to subsection (2)(a), or (2)(b), (2)(h), or
4 (2)(i) of this section shall serve for a term concurrent
5 with his respective term as a director or the superintendent
6 of public instruction, as the case may be. Upon his removal
7 from office, his or his designee's term as a member of the
8 council is automatically terminated and his successor in
9 office or his successor's designee is automatically a member
10 of the council.

11 (b) Each member who serves on the council pursuant to
12 subsection (2)(d) or (2)(e) of--this--section shall be
13 appointed or reappointed annually by the governor.

14 (c) Eight of the members serving on the council
15 pursuant to subsection (2)(c), (2)(f), or (2)(g), (2)(j), or
16 (3)(d) of this section shall be appointed by the governor to
17 serve for terms concurrent with the gubernatorial term and
18 until their successors are appointed. The remaining six
19 members serving on the council pursuant to subsection
20 (2)(c), (2)(f), (2)(g), (2)(j), or (3)(d) shall be appointed
21 by the governor to serve for terms ending on January 1 of
22 the third year of the succeeding gubernatorial term and
23 until their successors are appointed.

24 (d) Representatives named to the council pursuant to
25 this section, in addition to fulfilling the requirements

1 listed in subsections (2)(a) through (2)(j), may also be
2 selected to represent the following areas: psychology,
3 social work, special education, and minority groups,
4 including Native Americans with developmental disabilities.
5 A minimum of one member of the council shall represent each
6 of these areas. In the event that the persons listed in
7 subsections (2)(a) through (2)(j) do not represent all of
8 the areas of psychology, social work, special education, and
9 minority groups, including Native Americans with
10 developmental disabilities, up to two representatives may be
11 added to the membership of the council to represent not more
12 than two of these groups.

13 (4) The council is allocated to the department for
14 administrative purposes only and, unless inconsistent with
15 the provisions of this section and 53-20-206, the provisions
16 of 2-15-121 apply."

-End-

SENATE BILL NO. 277

INTRODUCED BY GAGE

BY REQUEST OF THE DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT TO MODIFY THE
MEMBERSHIP OF THE DEVELOPMENTAL DISABILITIES PLANNING AND
ADVISORY COUNCIL; AND AMENDING SECTION 2-15-2204, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-15-2204, MCA, is amended to read:

**"2-15-2204. Developmental disabilities planning and
advisory council.** (1) The governor shall appoint a
developmental disabilities planning and advisory council in
accordance with the provisions of this section.

(2) The council is composed of ~~22~~ at least 24 but no
more than 26 members and consists of the following:

(a) the directors of the departments of social and
rehabilitation services, health and environmental sciences,
and institutions, and family services or their designees;

(b) the superintendent of public instruction or a
designee;

(c) one ~~TWO~~ recognized private professional
PROFESSIONALS, ONE EACH in each-discipline the disciplines
of medicine, and law, psychology, social-work, ~~and special~~

education;

(d) ~~two-members~~ one member of the state senate;

(e) ~~two--members~~ one member of the state house of
representatives;

(f) ~~four-consumers-or-representatives-of--consumers--or
consumer--organizations--in--the-discipline-of-developmental
disabilities;--and~~ seven persons each of whom has a
developmental disability or who is an immediate family
member or guardian of a person with a developmental
disability;

(g) one member of each of the five regional councils
provided for in 53-20-207, who ~~shall-also--be--consumers--or
representatives--of--consumers--or-consumer-organizations-in
the--discipline--of---developmental---disabilities~~ has a
developmental disability or is an immediate family member or
guardian of a person with a developmental disability;

(h) the director of the university-affiliated or
satellite program on developmental disabilities, created
pursuant to 42 U.S.C. 6031, or a designee of the director;

(i) the director of the state protection and advocacy
system, created pursuant to 42 U.S.C. 6012, or a designee of
the director; and

(j) a representative of a statewide developmental
disabilities service provider organization whose member
agencies provide direct services to persons with

REFERENCE BILL



1 developmental disabilities.

2 (3) (a) Each member or his designee who serves on the
3 council pursuant to subsection (2)(a), or (2)(b), (2)(h), or
4 (2)(i) of this section shall serve for a term concurrent
5 with his respective term as a director or the superintendent
6 of public instruction, as the case may be. Upon his removal
7 from office, his or his designee's term as a member of the
8 council is automatically terminated and his successor in
9 office or his successor's designee is automatically a member
10 of the council.

11 (b) Each member who serves on the council pursuant to
12 subsection (2)(d) or (2)(e) ~~of this section~~ shall be
13 appointed or reappointed annually by the governor.

14 (c) Eight of the members serving on the council
15 pursuant to subsection (2)(c), (2)(f), or (2)(g), (2)(j), or
16 (3)(d) of this section shall be appointed by the governor to
17 serve for terms concurrent with the gubernatorial term and
18 until their successors are appointed. The remaining ~~six~~
19 members serving on the council pursuant to subsection
20 (2)(c), (2)(f), (2)(g), (2)(j), or (3)(d) shall be appointed
21 by the governor to serve for terms ending on January 1 of
22 the third year of the succeeding gubernatorial term and
23 until their successors are appointed.

24 (d) Representatives named to the council pursuant to
25 this section, in addition to fulfilling the requirements

1 listed in subsections (2)(a) through (2)(j), may also be
2 selected to represent the following areas: psychology,
3 social work, special education, and minority groups,
4 including Native Americans with developmental disabilities.
5 A minimum of one member of the council shall represent each
6 of these areas. In the event that the persons listed in
7 subsections (2)(a) through (2)(j) do not represent all of
8 the areas of psychology, social work, special education, and
9 minority groups, including Native Americans with
10 developmental disabilities, up to two representatives may be
11 added to the membership of the council to represent not more
12 than two of these groups.

13 (4) The council is allocated to the department for
14 administrative purposes only and, unless inconsistent with
15 the provisions of this section and 53-20-206, the provisions
16 of 2-15-121 apply."

-End-