

IN THE SENATE

SENATE BILL NO. 1323

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO THE IDAHO STATE INDEPENDENT LIVING COUNCIL; AMENDING SECTION 56-1203, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL LAW; AMENDING SECTION 56-1204, IDAHO CODE, TO REVISE A REFERENCE TO A FEDERAL LAW; AND AMENDING SECTION 56-1205, IDAHO CODE, TO REVISE LANGUAGE REGARDING FUNDING OF THE STATE INDEPENDENT LIVING COUNCIL.

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

SECTION 1. That Section 56-1203, Idaho Code, be, and the same is hereby amended to read as follows:

56-1203. DIRECTORS OF IDAHO STATE INDEPENDENT LIVING COUNCIL. Directors of the Idaho state independent living council shall be appointed by, and serve at the pleasure of, the governor. The governor shall comply with the provisions of ~~29 U.S.C. section 796d(b) and 34 CFR 364.21~~ the rehabilitation act of 1973, as amended, in making appointments to the council. The council shall select an executive director to carry out the executive functions of the council.

SECTION 2. That Section 56-1204, Idaho Code, be, and the same is hereby amended to read as follows:

56-1204. ADDITIONAL POWERS AND DUTIES. The council shall carry out those powers and duties set forth in ~~29 U.S.C. section 796d(c) and 34 CFR 364.21~~ the rehabilitation act of 1973, as amended. The council shall also:

- (1) Assess the need for services for Idahoans with disabilities and advocate with decision makers;
- (2) Supervise and evaluate such staff as may be necessary to carry out the functions of the council;
- (3) Ensure that all regularly scheduled meetings of the council are open to the public and that sufficient advance notice of meetings is provided pursuant to the open meeting law;
- (4) Prepare reports and make recommendations, as necessary;
- (5) Perform other activities the council deems necessary to increase the ability of Idahoans with disabilities to live independently;
- (6) Promulgate rules, as may be necessary, in compliance with chapter 52, title 67, Idaho Code.

SECTION 3. That Section 56-1205, Idaho Code, be, and the same is hereby amended to read as follows:

56-1205. ALLOCATION OF FUNDS BY DESIGNATED STATE UNITS. The Idaho ~~division of vocational rehabilitation shall enter into an agreement with the Idaho state independent living council for the~~ shall enter into an agreement with the state agency designated by the state plan for independent living for

1 the receipt, allocation and disbursement of funds to support the council's
2 activities. The funds shall be deposited in the Idaho state independent
3 living council fund created pursuant to section 56-1206, Idaho Code. Such
4 an agreement shall not be subject to the competitive bidding requirements
5 as provided by law, and shall be limited to the amounts appropriated by the
6 legislature or the United States congress.