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2009-2010 Regular Sessions

I N A S S E M B L Y

June 4, 2009

Introduced by M. of A. DESTITO, BING, P. RIVERA, GALEF, FIELDS, JAFFEE, COOK, TITONE, KOON -- Multi-Sponsored by -- M. of A. BRENNAN, MENG, PHEFFER, REILLY, WEISENBERG -- (at request of the Office of Mental Retardation Development Disabilities) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the membership of the most integrated setting coordinating council and appointment of the chairperson

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

1 Section 1. Subdivisions 1 and 2 of section 702 of the executive law,
2 as added by chapter 551 of the laws of 2002, are amended to read as
3 follows:
4 1. The most integrated setting coordinating council is hereby created
5 within the executive department to have and exercise the functions,
6 powers and duties provided by the provisions of this article and any
7 other provision of law. The council shall be comprised of the commis-
8 sioners of: the department of health, the office of mental retardation
9 and developmental disabilities, the office of mental health, the depart-
10 ment of transportation, the office of children and family services, the
11 office of alcohol and substance abuse services, the department of educa-
12 tion, [and] the division of housing and community renewal, THE OFFICE OF
13 TEMPORARY AND DISABILITY ASSISTANCE, AND THE DEPARTMENT OF LABOR. In
14 addition, the council shall consist of the director of the office for
15 the aging, THE EXECUTIVE DIRECTOR OF THE DEVELOPMENTAL DISABILITIES
16 PLANNING COUNCIL, a representative from the [office of the advocate for
17 persons with disabilities, a representative from the] commission on
18 quality of care [for the mentally disabled] AND ADVOCACY FOR PERSONS
19 WITH DISABILITIES, three consumers of services for individuals with
20 disabilities, one to be appointed by the governor, one to be appointed
21 by the temporary president of the senate, and one to be appointed by the

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

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1 speaker of the assembly, three individuals with expertise in the field
2 of community services for people of all ages with disabilities, one to
3 be appointed by the governor, one to be appointed by the temporary pres-
4 ident of the senate, and one to be appointed by the speaker of the
5 assembly, and three individuals with expertise in or recipients of
6 services available to senior citizens with disabilities, one to be
7 appointed by the governor, one to be appointed by the temporary presi-
8 dent of the senate, and one to be appointed by the speaker of the assem-
9 bly.

10 2. The [commissioners of the department of health, the office of
11 mental health, the office of mental retardation and developmental disa-
12 bilities, and the director of the office for the aging shall rotate as
13 chairperson of the council on a quarterly basis] GOVERNOR SHALL APPOINT
14 THE CHAIRPERSON OF THE COUNCIL FROM AMONG THE COUNCIL MEMBERS. SUCH
15 CHAIRPERSON SHALL SERVE AT THE PLEASURE OF THE GOVERNOR.

16 S 2. This act shall take effect immediately.