

74-5501. State council on developmental disabilities; establishment; membership. (a) There is hereby established the state council on developmental disabilities which shall consist of not less than 18 members. The membership of the council shall at all times include representatives of the state entities that administer funds provided under federal laws related to individuals with disabilities, including the rehabilitation act of 1973 (29 U.S.C. 701 *et seq.*), the individuals with disabilities education act (20 U.S.C. 1400 *et seq.*), the older americans act of 1965 (42 U.S.C. 3001 *et seq.*), and titles V (42 U.S.C. 701 *et seq.*) and XIX of the social security act (42 U.S.C. 1396 *et seq.*), and centers in the state, the state protection and advocacy system, local agencies, and nongovernmental agencies and private nonprofit groups concerned with services to persons with developmental disabilities. The council shall be appointed by the governor who shall make appropriate provisions for the rotation of membership on the council and shall on July 1 of each year designate one member to be chairperson for the following year.

(b) At least 60% of the membership of the state council shall consist of persons who are:

(1) Persons with developmental disabilities or parents or guardians of such persons; or

(2) Immediate relatives or guardians of persons with mentally impairing developmental disabilities and who are not (A) employees of a state agency which receives funds or provides services under the federal rehabilitation act, or (B) managing employees (as defined in 42 U.S.C. 1320a-5 in effect on the effective date of this act) of any other entity which receives funds or provides services under the federal rehabilitation act of 1973 (29 U.S.C. 701 *et seq.*), as amended.

(c) Of the members of the state council described in subsection (b):

(1) At least one-third shall be persons with developmental disabilities; and

(2) At least one-third shall be individuals described in paragraph (2) of subsection (b), and at least one of such individuals shall be an immediate relative or guardian of an institutionalized person with a developmental disability, or shall be an individual with a developmental disability who resides or previously resided in an institution.

History: L. 1967, ch. 480, § 1; L. 1972, ch. 310, § 1; L. 1979, ch. 254, § 1; L. 2002, ch. 197, § 2; July 1.