



# House of Representatives

General Assembly

**File No. 840**

January Session, 2007

Substitute House Bill No. 7144

*House of Representatives, May 16, 2007*

The Committee on Appropriations reported through REP. MERRILL of the 54th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT ESTABLISHING A BOARD OF EDUCATION AND SERVICES FOR CITIZENS WITH AUTISM SPECTRUM DISORDERS AND AN ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION AND CONCERNING PERSONS WITH DISABILITIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) (a) There is established a  
2 Board of Education and Services for Citizens with Autism Spectrum  
3 Disorders that shall serve as the central policy making authority in  
4 providing services to all citizens with autism spectrum disorders in the  
5 state. The Board of Education and Services for Citizens with Autism  
6 Spectrum Disorders shall consist of twelve members who shall be  
7 residents of the state and appointed as follows: Six by the Governor,  
8 one by the president pro tempore of the Senate, one by the speaker of  
9 the House of Representatives, one by the majority leader of the Senate,  
10 one by the minority leader of the Senate, one by the majority leader of  
11 the House of Representatives and one by the minority leader of the  
12 House of Representatives. The Commissioner of Social Services and  
13 the Commissioner of Mental Retardation shall be members, ex officio.

14 Three of the members appointed by the Governor shall be parents or  
15 legal representatives of citizens with autism spectrum disorders who  
16 receive services provided by the board.

17 (b) Three members of the board initially appointed by the Governor  
18 shall serve a term of four years and three of the members initially  
19 appointed by the Governor shall serve a term of two years. The  
20 members initially appointed by the president pro tempore of the  
21 Senate, the majority leader of the Senate and the minority leader of the  
22 Senate shall serve a term of four years. The members initially  
23 appointed by the speaker of the House of Representatives, the majority  
24 leader of the House of Representatives, and the minority leader of the  
25 House of Representatives shall serve a term of two years. Thereafter,  
26 all members of the board shall be appointed for a term of four years,  
27 commencing on October first of the year of the appointment.

28 (c) One of the members appointed by the Governor shall be  
29 designated by the Governor as the chairperson of the board. The board  
30 shall meet annually in the month of September and may meet at any  
31 other time upon the call of its chairperson. The chairperson shall call a  
32 meeting at the request of two members. Any appointed member who  
33 fails to attend three consecutive meetings or fifty per cent of all  
34 meetings held during any calendar year shall be deemed to have  
35 resigned. A majority of the members in office shall constitute a  
36 quorum. The appointing authority may, for reasonable cause, remove  
37 any appointed member and appoint another person to fill the vacancy  
38 for the unexpired portion of the term. Any other vacancy in the board  
39 shall be filled by the appointing authority for the unexpired portion of  
40 the term.

41 (d) Members appointed to the board shall monitor the activities of  
42 the board in carrying out its mission to provide educational and  
43 rehabilitative services to all state residents who have autism spectrum  
44 disorders.

45 (e) The board shall be within the Department of Mental Retardation  
46 for administrative purposes only.

47 (f) For the purposes of this section and sections 2 to 4, inclusive, of  
48 this act, "autism spectrum disorder" means a condition that may be  
49 present from birth or very early in development and affect essential  
50 human behaviors such as social interaction, the ability to communicate  
51 ideas and feelings, imagination and the development of relationships  
52 with others.

53 (g) The Board of Education and Services for Citizens with Autism  
54 Spectrum Disorders shall annually make recommendations to the  
55 General Assembly concerning the services available to persons with  
56 autism spectrum disorders, including, but not limited to, funding  
57 required to provide early intervention, educational and vocational  
58 services, the availability of vocational rehabilitation for such persons  
59 and any other matter that uniquely affects persons with autism  
60 spectrum disorders.

61 Sec. 2. (NEW) (*Effective October 1, 2008*) (a) The Governor shall  
62 appoint an executive director of the Board of Education and Services  
63 for Citizens with Autism Spectrum Disorders, in accordance with the  
64 provisions of section 4-7 of the general statutes. The executive director  
65 shall be a person who has (1) background, training or education  
66 related to providing services to citizens with autism spectrum  
67 disorders, and (2) experience in program administration, oversight and  
68 leadership. The compensation of such director shall be determined in  
69 the manner provided in section 4-40 of the general statutes.

70 (b) No member of the board shall receive compensation for services  
71 rendered unless such services are special and specially requested by  
72 the board, in which case a moderate allowance may be made for the  
73 time actually spent. The certificate of the executive director of the  
74 amount of any bill for such services and expenses shall be sufficient  
75 warrant to the Comptroller for the payment of the same.

76 Sec. 3. (NEW) (*Effective October 1, 2008*) Each physician and  
77 psychologist shall file a report, in writing, to the Board of Education  
78 and Services for Citizens with Autism Spectrum Disorders not later  
79 than thirty days after any person comes under such physician's or

80 psychologist's private or institutional care and such person presents  
81 with an autism spectrum disorder, provided such person or the parent  
82 or guardian of such person provides the requisite consent for such  
83 report. Such report shall include the person's name, address, date of  
84 birth and date of diagnosis of an autism spectrum disorder along with  
85 a description of the nature of such disorder. Such report shall not be  
86 open to public inspection and not be disclosed pursuant to chapter 14  
87 of the general statutes.

88       Sec. 4. (NEW) (*Effective October 1, 2008*) The Board of Education and  
89 Services for Citizens with Autism Spectrum Disorders is empowered  
90 to receive any federal funds made available to this state under which  
91 vocational rehabilitation is provided for a person who has an autism  
92 spectrum disorder and to expend such funds for the purpose or  
93 purposes for which they are made available. The State Treasurer shall  
94 be the custodian of such funds.

95       Sec. 5. Section 4-5 of the general statutes is repealed and the  
96 following is substituted in lieu thereof (*Effective October 1, 2008*):

97       As used in sections 4-6, 4-7 and 4-8, the term "department head"  
98 means Secretary of the Office of Policy and Management,  
99 Commissioner of Administrative Services, Commissioner of Revenue  
100 Services, Banking Commissioner, Commissioner of Children and  
101 Families, Commissioner of Consumer Protection, Commissioner of  
102 Correction, Commissioner of Economic and Community Development,  
103 State Board of Education, Commissioner of Emergency Management  
104 and Homeland Security, Commissioner of Environmental Protection,  
105 Commissioner of Agriculture, Commissioner of Public Health,  
106 Insurance Commissioner, Labor Commissioner, Liquor Control  
107 Commission, Commissioner of Mental Health and Addiction Services,  
108 Commissioner of Public Safety, Commissioner of Social Services,  
109 Commissioner of Mental Retardation, Commissioner of Motor  
110 Vehicles, Commissioner of Transportation, Commissioner of Public  
111 Works, Commissioner of Veterans' Affairs, Commissioner of Health  
112 Care Access, Chief Information Officer, the chairperson of the Public

113 Utilities Control Authority, the executive director of the Board of  
114 Education and Services for the Blind, the executive director of the  
115 Board of Education and Services for Citizens with Autism Spectrum  
116 Disorders, the executive director of the Connecticut Commission on  
117 Culture and Tourism and the Ombudsman for Property Rights.

118 Sec. 6. (NEW) (*Effective from passage*) Any general statute, local law,  
119 ordinance, charter or regulation adopted by the state or any political  
120 subdivision of the state that refers to persons with disabilities shall  
121 utilize language that does not: (1) imply that such persons are disabled  
122 as a whole, (2) equate persons with their condition, or (3) have  
123 negative overtones or have a derogatory or demeaning effect. Nothing  
124 in this section shall be construed to invalidate any statute, local law,  
125 ordinance, charter or regulation that fails to comply with the  
126 requirements of this section.

127 Sec. 7. Subsection (a) of section 10-29a of the general statutes is  
128 amended by adding subdivision (52) as follows (*Effective from passage*):

129 (NEW) (52) The Governor shall proclaim the first week in October of  
130 each year to be Disability Awareness Week in order to promote  
131 disability awareness, foster inclusion of people with disabilities and  
132 increase knowledge of the history of the disability civil rights  
133 movement. Suitable exercises shall be held in the State Capitol and  
134 elsewhere as the Governor designates for the observance of the day.

135 Sec. 8. (NEW) (*Effective October 1, 2007*) (a) There is established an  
136 Asian Pacific American Affairs Commission. The commission shall  
137 consist of thirteen members, appointed as follows: (1) Three by the  
138 Governor, one of whom shall serve for a term of one year from October  
139 1, 2007, and have expertise in the field of education, one of whom shall  
140 serve for a term of two years from October 1, 2007, and have expertise  
141 in the field of human services, and one of whom shall serve for a term  
142 of three years from October 1, 2007, and have expertise in the fields of  
143 small business and economic development, and each of whom  
144 thereafter shall serve for terms of three years from October first in the  
145 year of their appointment and have expertise in the field of the

146 member's predecessor; (2) two by the president pro tempore of the  
147 Senate, one of whom shall have expertise in the field of children and  
148 youth development and one of whom shall have expertise in the field  
149 of health; (3) one by the majority leader of the Senate, who shall be a  
150 member of the public; (4) two by the minority leader of the Senate, one  
151 of whom shall have expertise in the field of environment and one of  
152 whom shall have expertise in the field of arts and culture; (5) two by  
153 the speaker of the House of Representatives, one of whom shall have  
154 expertise in the field of housing and one of whom shall have expertise  
155 in the field of public safety; (6) one by the majority leader of the House  
156 of Representatives, who shall be a member of the public; and (7) two  
157 by the minority leader of the House of Representatives, one of whom  
158 shall have expertise in the field of transportation and one of whom  
159 shall be a member of the public. All members appointed under this  
160 subsection shall have experience in the field of Asian Pacific American  
161 affairs. All members appointed under subdivision (2), (3), (4), (5), (6) or  
162 (7) of this subsection shall serve for terms of two years from October  
163 first in the year of their appointment. The commission shall elect a  
164 chairperson and a vice-chairperson from among its members. Any  
165 person absent from (A) three consecutive meetings of the commission,  
166 or (B) fifty per cent of such meetings during any calendar year shall be  
167 deemed to have resigned from the commission, effective immediately.  
168 Vacancies on the commission shall be filled by the appointing  
169 authority. Members of the commission shall serve without  
170 compensation but shall, within the limits of available funds, be  
171 reimbursed for expenses necessarily incurred in the performance of  
172 their duties. The commission shall meet as often as deemed necessary  
173 by the chairperson or a majority of the commission.

174 (b) The commission shall:

175 (1) Develop a plan prior to the beginning of each legislative session  
176 that outlines the commission's priorities for the session and strategies  
177 to accomplish each priority;

178 (2) Work in consultation with the respective state agency to develop

179 plans and programs that address each of the following areas as they  
180 affect the Asian Pacific American community including, but not  
181 limited to: (A) Access to health care, (B) housing, (C) job training, (D)  
182 access to the legal system, (E) mental health and addiction services, (F)  
183 economic development, (G) workplace justice and equality, (H)  
184 immigration, (I) education, (J) English language instruction, (K)  
185 international trade, and (L) economic cooperation with Asian  
186 countries;

187 (3) In consultation with the joint committee of the General Assembly  
188 having cognizance of matters relating to legislative management,  
189 establish a plan of short-term and long-term initiatives based on the  
190 needs of the community of Asian Pacific descent;

191 (4) Review, comment and testify on any proposed state legislation  
192 and regulations that would affect the Asian Pacific American  
193 population in the state;

194 (5) Advise and provide information to the Governor and the  
195 General Assembly on the state's policies concerning the Asian Pacific  
196 American community;

197 (6) Advise the Governor and the General Assembly concerning the  
198 coordination and administration of state programs serving the Asian  
199 Pacific American population;

200 (7) Maintain a liaison between the Asian Pacific American  
201 community and governmental entities, including, but not limited to,  
202 the General Assembly;

203 (8) Promote the political empowerment of the Asian Pacific  
204 American community through voter registration, voting rights and  
205 citizenship training;

206 (9) Support the state's efforts to develop international trade and  
207 cross-border economic cooperation with the countries of Asia and the  
208 Pacific Rim;

209 (10) Support state efforts to develop effective foreign language and  
 210 cultural programs for educational and economic development  
 211 purposes;

212 (11) Encourage Asian Pacific American representation at all levels of  
 213 state government, including state boards and commissions, and  
 214 support the development of such representatives in addition to  
 215 maintaining an accessible list of prospective appointees who are  
 216 members of the Asian Pacific American community;

217 (12) Secure appropriate recognition of the accomplishments and  
 218 contributions of the Asian Pacific American population of the state;  
 219 and

220 (13) Prepare and submit to the Governor and General Assembly an  
 221 annual report concerning its activities with any appropriate  
 222 recommendations concerning the Asian Pacific American population  
 223 of the state.

224 (c) The commission may use such funds as may be available from  
 225 federal, state or other sources and may enter into contracts to carry out  
 226 the purposes of this section.

227 (d) The commission may, subject to the provisions of chapter 67 of  
 228 the general statutes, employ any necessary staff within available  
 229 appropriations.

230 (e) The commission shall be part of the Legislative Department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	New section
Sec. 2	<i>October 1, 2008</i>	New section
Sec. 3	<i>October 1, 2008</i>	New section
Sec. 4	<i>October 1, 2008</i>	New section
Sec. 5	<i>October 1, 2008</i>	4-5
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	10-29a(a)

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Sec. 8	October 1, 2007	New section
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**APP**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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### **OFA Fiscal Note**

#### **State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 08 \$</b>	<b>FY 09 \$</b>
Board of Education and Services for Citizens with Autism Spectrum Disorders; Department of Mental Retardation; Comptroller - Fringe Benefits	GF - See Below	See Below	See Below
Legislative Management	GF - Implements the Appropriations Committee budget	25,000	200,000

Note: GF=General Fund

**Municipal Impact:** None

#### **Explanation**

The bill establishes a Board of Education and Services for Citizens with Autism Spectrum Disorders and an Asian Pacific American Affairs Commission (within the Legislative Department). The bill also requires the Governor to proclaim the first week in October of each year "Disability Awareness Week", and establishes certain language use requirements in reference to individuals with disabilities.

#### ***Asian Pacific American Affairs Commission***

The bill establishes an Asian Pacific American Affairs Commission within the Legislative Department. sHB 7077 (the budget bill), as favorably reported by the Appropriations Committee, includes funding of \$25,000 in FY 08 and \$200,000 in FY 09 to establish an Asian Pacific American Affairs Commission. The FY 08 funding would be utilized to complete a national search for an executive director and for various start-up expenses. The FY 09 funding includes: \$145,000 to hire an executive director and an administrative assistant; \$50,000 for Other Expenses; and \$5,000 for Equipment.

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***Board of Education and Services for Citizens with Autism Spectrum Disorders***

The bill establishes a 12-member Board of Education and Services for Citizens with Autism Spectrum Disorders (the Board) as a central policy making authority in providing services to citizens with autism spectrum disorders (ASD) and requires the Governor to appoint an executive director. The bill further places the new Board under the Department of Mental Retardation for administrative purposes only and places reporting requirements (with consent) on physicians and psychologists who are treating individuals with ASD. The bill empowers the Board to receive any federal funds that are made available to the state under which vocational rehabilitation is provided for a person who has ASD and to expend such funds for the purpose for which they are made available. These provisions are effective October 1, 2008 (FY 09).

An Executive Director position would result in an annual salary of \$110,000 (\$82,500 in FY 09) plus fringe benefits<sup>1</sup> (\$21,290 in FY 09 and \$66,220 annually). To what extent the Department of Mental Retardation would incur costs associated with providing the new agency administrative support (such as financial services and human resource) is unknown. There are other costs the new Board will incur in FY 09 and continue in the out-years. The costs associated with the new Board will depend on the size, location, support staff and service system of the new agency, which is not specifically delineated in the bill. Costs to consider would include: additional staff and associated fringe benefits; information technology; office space; equipment; training; other expenses related to establishing and maintaining a state

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<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated first year fringe benefit rate for a new employee as a percentage of average salary is 25.8%, effective July 1, 2006. The first year fringe benefit costs for new positions do not include pension costs. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS 2006-07 fringe benefit rate is 34.4%, which when combined with the non pension fringe benefit rate totals 60.2%.

agency; and a service system.

The Board is required to make recommendations to the General Assembly concerning services available to persons with ASD, such as early intervention, educational and vocational. However, it is not clear whether the new agency is authorized to provide these recommended services.

Section 4 of the bill empowers the Board to receive federal funds made available to the state for which vocational rehabilitation is provided for a person who has ASD. Currently, the Bureau of Rehabilitation Services within the Department of Social Services provides vocational rehabilitation support to eligible individuals, which includes individuals with ASD, through the federally supported Vocational Rehabilitation (VR) program. There is maintenance of effort requirements that are met with a General Fund appropriation. DSS is the designated state agency to administer the state VR plan (under federal regulations the only exception is for any agency that serves individuals who are blind - therefore BESB is authorized to accept federal VR funding and participate in the program). The impact of section 4 of the bill is unclear, as current federal regulations do not allow the portability of the VR dollars to another agency for a specific population.

SHB 7077 (the budget bill), as favorably reported by the Appropriations Committee, in FY 09 creates a new Board of Autism Spectrum Disorders (ASD) for individuals with ASD that do not have mental retardation. This includes FY 09 new funding of \$1.1 million for 18 new positions, equipment, training and other expenses costs associated with creating and establishing a new agency. The new agency reflected in the budget bill also includes \$1.15 million transferred from the Department of Mental Retardation to reflect the transfer of an existing Pilot Program for Autism Services and two associated positions. The pilot program serves adults with ASD who do not have mental retardation. The associated fringe benefit costs for the 18 new positions are supported in the budget bill with funding in

the Comptroller's miscellaneous fringe benefits accounts.

### ***Other Provisions***

The bill requires the Governor to proclaim the first week in October of each year as Disability Awareness Week. To the extent that a designated state agency would incur costs to support such exercises in promoting this designated week, a minimal impact may result.

Finally, the language provision in the bill is not anticipated to result in a fiscal impact.

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis**

**sHB 7144**

***AN ACT ESTABLISHING A BOARD OF EDUCATION AND SERVICES FOR CITIZENS WITH AUTISM SPECTRUM DISORDERS AND AN ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION AND CONCERNING PERSONS WITH DISABILITIES.***

**SUMMARY:**

This bill establishes a 12-member Board of Education and Services for Citizens with Autism Spectrum Disorders (BESCASD) as the state's central policy-making agency for providing educational and rehabilitative services to citizens with autism spectrum disorders. It places the board within the Department of Mental Retardation for administrative purposes. Board members monitor the agency's activities when carrying out its mission to provide educational and rehabilitative services to all state residents with the disorder (COMMENT).

The bill establishes a 13-member Asian Pacific American Affairs Commission within the Legislative Department.

The bill requires state or local laws, ordinances, charters, or regulations that refer to individuals with disabilities to use language that does not (1) imply that such people are disabled as a whole, (2) equate people with their condition, or (3) have a negative overtone or derogatory or demeaning effect. The bill does not invalidate any law, ordinance, charter, or regulation that does not comply with its requirements.

Lastly, the bill requires the governor to proclaim the first week in October of each year as Disability Awareness Week in order to promote disability awareness, foster inclusion of people with disabilities, and increase knowledge of the history of the disability civil

rights movement. It requires suitable exercises and observances at the State Capitol and other locations that the governor designates.

EFFECTIVE DATE: Upon passage, except that the provision establishing the (1) autism board is effective October 1, 2008 and (2) Asian Pacific American Affairs Commission is effective October 1, 2007.

**BOARD OF EDUCATION AND SERVICES FOR CITIZENS WITH AUTISM SPECTRUM DISORDERS**

***Board Members and Meetings***

The bill establishes a 12-member board. The governor appoints six members and the six top legislative leaders each appoint one. The commissioners of social services and mental retardation serve as ex officio members. Three of the governor’s appointees must be parents or legal representatives of people who receive services from the board (COMMENT). The governor must designate one of her appointees as chairperson of the board.

The members serve four-year staggered terms beginning on January 4. Initially, three of the governor’s six appointees and House leadership’s appointees serve two-year terms.

The board must meet annually in September and may meet at any other time the chairperson determines. The chairperson must call a meeting at the request of two members. A majority of members constitutes a quorum. A member who misses three consecutive meetings or fails to attend 50% of the meetings in a calendar year is deemed to have resigned. The appointing authority may, for reasonable cause, remove any appointed member and appoint another person to fill the unexpired term. Any vacancy on the board must be filled by the appointing authority for the unexpired term.

Board members are unpaid, but they may receive a moderate allowance for special services they provide at BESCASD’s request.

***Board’s Purpose***

The board must make annual recommendations to the General Assembly regarding the services available to people with autism spectrum disorders (ASD), including the funding required for early intervention, educational and vocational services, the availability of vocational rehabilitation for such people, and any other matter that uniquely affects people with ASD. "Autism spectrum disorder" is a condition that may be present from birth to very early in development and affect essential human behaviors such as social interaction, the ability to communicate ideas and feelings, imagination, and relationships with others.

### ***Executive Director of the Board***

The bill requires the governor to appoint an executive director to head BESCASD. The executive director must have (1) background, training, or education related to providing services to citizens with autism spectrum disorders and (2) experience in program administration, oversight, and leadership. The administrative services commissioner sets the director's salary with the approval of the Office of Policy and Management.

The executive director is a department head and as such has the same duties and responsibilities as other department heads, including the duty to organize BESCASD into divisions, appoint a deputy, hire other staff as he or she determines necessary, enter into contracts to carry out the board's duties, and adopt regulations.

### ***Funding***

The bill permits the board to receive any federal funds available to the state for the vocational rehabilitation of people with an ASD and may spend them for the purposes for which they are available. The state treasurer is the custodian of the funds.

### ***Reports***

The bill requires each physician and psychologist to submit a written report to BESCASD whenever a patient is diagnosed with an ASD. The doctor must receive the consent of the patient or the

patient's parent or guardian. The report must be submitted within 30 days after the patient's diagnosis. It must include the patient's name, address, date of birth, and date of the diagnosis along with a description of the nature of the disorder. The report is not open to public inspection and cannot be disclosed under Freedom of Information Act.

## **ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION**

### ***Duties***

The bill requires the 13-member commission to:

1. develop a plan before each legislative session that outlines the commission's priorities for the session and strategies for accomplishing them;
2. work with state agencies to develop plans and programs for addressing areas that affect the Asian Pacific American community, including health care access, housing, job training, access to the legal system, mental health and addiction services, economic development, workplace justice and equality, immigration, education, English language instruction, international trade, and economic cooperation with Asian countries;
3. work with the Legislative Management Committee to establish a plan of short- and long-term initiatives based on the needs of people of Asian Pacific descent;
4. review and comment on any proposed state legislation and regulations that would affect the state's Asian Pacific American population;
5. advise and provide information to the governor and legislature on the state's policies concerning their communities;
6. advise the governor and legislature on the coordination and administration of state programs that serve these communities;

7. maintain a liaison between their communities and governmental entities;
8. promote the political empowerment of their communities through voter registration, voting rights, and citizenship training;
9. encourage their communities' representation at all levels of state government, including state boards and commissions, and help develop these representatives, including by maintaining an accessible list of prospective appointees;
10. secure appropriate recognition of their accomplishments and contributions to the state;
11. support the state's efforts to develop international trade and cross-border economic cooperation with Asia and the Pacific Rim;
12. support state efforts to develop effective foreign language and cultural programs for education and economic development; and
13. prepare and submit to the governor and legislature an annual report on the commission's activities with any appropriate recommendations concerning the state's Asian Pacific American population.

The bill authorizes the commission to (1) use any available funds and enter into contracts to carry out its purposes and (2) employ necessary staff in compliance with the State Personnel Act.

### ***Members and Meetings***

The governor appoints three members, the Senate president pro tempore and minority leader and the House speaker and minority leader each appoint two members, and the Senate and House majority leaders each appoint one member. The members must have experience in Asian Pacific American affairs and either represent the public or

have expertise in the following areas:

<b><i>Appointing Authority</i></b>	<b><i>Areas of Expertise</i></b>
Governor	Education Human services Small business and economic development
Senate president pro tempore	Children and youth development Health
Senate majority leader	Public
Senate minority leader	Environment Arts and culture
House speaker	Housing Public safety
House majority leader	Public
House minority leader	Transportation Public

The governor's initial appointees serve staggered terms (one year for the education expert; two for the human services expert; and three for the small business and economic development expert). Thereafter, all gubernatorial appointees serve three-year terms beginning on October 1<sup>st</sup> and must have expertise in the same field as their predecessors. All legislative appointees serve two-year terms. The appointing authority fills vacancies.

The commission elects its own chairperson and vice-chairperson from its members and meets as often as the chairperson or a commission majority deems necessary. Members are considered to have resigned if they miss three consecutive meetings or half the meetings in a calendar year.

Commission members are not paid; however, they may be reimbursed for the necessary expenses they incur while performing their duties.

## **BACKGROUND**

### ***Legislative History***

The House referred the bill (File 505) to the Appropriations

Committee, which (1) delayed, by one year, the effective date for establishing the autism board and (2) eliminated the \$2 million appropriation to establish it.

**COMMENT**

***Authority of the 12-Member Autism Board***

The bill requires the board to monitor the agency’s mission to provide educational and rehabilitative services to all state residents with the disorder, however, it appears that the board is only authorized to make recommendations about services, not actually provide them.

***Board Members***

The bill requires three of the governor’s appointees to be parents or legal representatives of people who receive services from the board, however, the bill does not appear to authorize the board to provide services.

**COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 13    Nay 0    (03/28/2007)

Appropriations Committee

Joint Favorable Substitute

Yea 38    Nay 4    (04/30/2007)