



General Assembly

Substitute Bill No. 7144

January Session, 2007

* HB07144HS 052307 *

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
Sec. 8	<i>October 1, 2007</i>	New section

APP *Joint Favorable Subst.*

HS *Joint Favorable*