

HOUSE BILL NO. 76

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MILLETT

Introduced: 1/23/15

Referred: Health and Social Services

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Governor's Council on Disabilities and Special Education."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 47.80.030 is amended to read:

4 **Sec. 47.80.030. Governor's council on disabilities and special education.**

5 There is established the Governor's Council on Disabilities and Special Education. For
6 budgetary purposes, the council is located within the Department of Health and Social
7 Services but is the interdepartmental planning and coordinating agency of the
8 Department of Health and Social Services, the Department of Education and Early
9 Development, and other departments that deliver services to persons who are
10 [GIFTED OR] experiencing a disability. In addition, except as provided in
11 AS 47.80.300 - 47.80.330, the council is the state planning council and interagency
12 coordinating council for purposes of federal laws relating to persons who are
13 [GIFTED OR] experiencing a disability.

14 *** Sec. 2.** AS 47.80.090 is amended to read:

15 **Sec. 47.80.090. Responsibilities.** The council shall

1 (1) serve as a forum by which issues and benefits regarding current and
2 potential services to disabled [AND GIFTED] persons may be discussed by consumer,
3 public, private, professional, and lay interests;

4 (2) advocate the needs of disabled [AND GIFTED] persons before the
5 executive and legislative branches of the state government and before the public;

6 (3) advise the executive and legislative branches of the state
7 government and the private sector on programs and policies pertaining to current and
8 potential services to disabled [OR GIFTED] persons and their families;

9 (4) submit periodic reports to the commissioner of health and social
10 services, the commissioner of education and early development, and to other
11 appropriate departments, on the effects of current federal and state programs regarding
12 services to disabled [OR GIFTED] persons; these reports must include program
13 performance reports to the governor, the federal government, and [TO] state agencies
14 as required under 20 U.S.C. 1482 and **42 U.S.C. 15025** [42 U.S.C. 6024];

15 (5) in conjunction with the Departments of Health and Social Services
16 and Education and Early Development, develop, prepare, adopt, periodically review,
17 and revise as necessary an annual state plan prescribing programs that meet the needs
18 of persons with developmental disabilities as required under **42 U.S.C. 15024** [42
19 U.S.C. 6022];

20 (6) review and comment to commissioners of state departments on all
21 state plans and proposed regulations relating to programs for persons who are
22 experiencing disabilities before the adoption of a plan or regulation; for this purpose,
23 the appropriate departments shall submit the plans and proposed regulations to the
24 council;

25 (7) recommend the priorities and specifications for the use of funds
26 received by the state under **20 U.S.C. 1471 - 1482** [20 U.S.C. 1471 - 1485] and **42**
27 **U.S.C. 15001 - 15083** [42 U.S.C. 6000 - 6083];

28 (8) submit annually to the commissioner of health and social services,
29 the commissioner of education and early development, and the commissioner of
30 commerce, community, and economic development a proposed interdepartmental
31 program budget for services to disabled [OR GIFTED] persons that includes, insofar

1 as possible, projected revenues and expenditures for programs implemented by state
2 agencies, local governmental agencies, and private organizations; the
3 interdepartmental program budget is an informational supplement to the regular
4 annual budgetary submissions of the departments to the Office of the Governor;

5 (9) provide information and guidance for the development of
6 appropriate special educational programs and services for a child with a disability as
7 defined in AS 14.30.350;

8 (10) monitor and evaluate budgets or other implementation plans and
9 programs for disabled [AND GIFTED] persons to assure nonduplication of services
10 and encourage efficient and coordinated use of federal, state, and private resources in
11 the provision of services; members of the council, with the approval of the council,
12 have access to information in the possession of state agencies subject to disclosure
13 restrictions imposed by state or federal confidentiality or privacy laws;

14 (11) perform other duties required under applicable federal laws or
15 AS 14.30.231 and as the governor may assign;

16 (12) govern the special education service agency and may hire
17 personnel necessary to operate the agency; and

18 (13) provide to the Alaska Mental Health Trust Authority for its
19 review and consideration recommendations concerning the integrated comprehensive
20 mental health program for the people of the state who are described in
21 AS 47.30.056(b)(2) and the use of the money in the mental health trust settlement
22 income account in a manner consistent with regulations adopted under AS 47.30.031.