

By His Excellency
William F. Weld
Governor
Executive Order No. 373
Establishing A Statewide Independent Living Council

WHEREAS, the Commonwealth is committed to empowering people with disabilities through the provision of independent living services that maximize the independence and productivity of individuals with disabilities, and promote their integration into the community; and

WHEREAS, the Commonwealth provides independent living services to individuals with disabilities through the state-federal programs authorized by the Federal Rehabilitation Act, as amended in 1992 by P.L. 102-569 (the "Rehabilitation Act"); and

WHEREAS, the Massachusetts Rehabilitation Commission and the Massachusetts Commission for the Blind are the two state agencies within the Commonwealth that are designated to provide independent living services through the state-federal programs authorized by the Rehabilitation Act; and

WHEREAS, pursuant to the Rehabilitation Act, individuals with disabilities should be involved in planning and reviewing the independent living program and services provided thereunder;

NOW, THEREFORE, I, William F. Weld, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me as Supreme Executive Magistrate, do hereby order as follows:

PURPOSE

Section 1. The Statewide Independent Living Council ("Council") is hereby established to participate in planning with and advise the Massachusetts Rehabilitation Commission and the Massachusetts Commission for the Blind concerning the provision of the independent living services for the persons with disabilities, in compliance with the requirements of the Rehabilitation Act.

COUNCIL COMPOSITION AND OPERATIONS

Section 2. (A) The Council shall consist of thirty-six voting members and eight non-voting ex officio members. Voting Council members shall be appointed by the Governor. Each voting member of the Council shall serve for a term of not more than three years and no member of the Council may serve more than two consecutive full terms. Voting members shall be appointed to staggered, renewable 3-year terms except that in making the original appointments the Governor shall appoint one third (1/3) of the members to serve for one year, one third (1/3) of the members to serve for two years, and the remaining members to serve for three years. Any vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment.

(B) Council members shall be persons who are knowledgeable about centers for independent living services and shall include a broad representation of individuals with a range of physical and mental disabilities from the various geographic areas within the Commonwealth. The majority of Council members shall be persons who are individuals with disabilities and are not employed by either the Massachusetts Rehabilitation Commission or the Massachusetts Commission for the Blind or any other state agency that provides services for individuals with disabilities. Voting Council members shall include:

- (1) One director of an independent living center selected from a list of three nominated by the Massachusetts Association of Independent Living Centers;
- (2) Ten representatives from independent living centers, so that each independent living centers within the Commonwealth is represented;
- (3) Individuals with disabilities;

- (4) Parents, guardians and siblings of individuals with disabilities;
- (5) Representatives from private businesses;
- (6) Representatives from organizations that provide services for individuals with disabilities.

The ex officio members of the Council shall include the Commissioner of Rehabilitation or his designee and the Commission for the Deaf and Hard of Hearing, the Department of Public Health, the Massachusetts Office on Disability, and the Massachusetts Developmental Disabilities Council.

Section 3. (A) The council shall select a chairperson from among its voting members.

(B) The Council shall convene at least four meetings a year and shall conduct such forums or hearings as the Council considers appropriate. Meetings, hearings, and forums shall be publicly announced and shall be open and accessible to the general public.

(C) The Council members shall abide by the provisions of the Massachusetts conflict of interest law, G.L. chapter 268A.

Section 4. Council members shall serve without compensation, but may be reimbursed for their reasonable and necessary expenses as provided for in the Rehabilitation Act and subject to the annual appropriation and allocation of federal funds, in conjunction with the Massachusetts Rehabilitation Commission and the Massachusetts Commission for the Blind to obtain the resources, including staff and personnel, that are necessary to carry out the functions of the Council. Consistent with state law, the Council shall supervise and evaluate such staff and personnel as may be necessary to carry out the functions of the Council.

DUTIES

Section 5. The Council shall have the following duties and responsibilities:

- (A) Jointly develop and sign , in conjunction with Massachusetts Commission for the Blind and the Massachusetts Rehabilitation Commission, State Independent Living Plans for submission to the Rehabilitation Services Administration within the U.S. Department of Education;
- (B) Monitor, review, and evaluate implementation of the State Independent Living Plans;
- (C) Coordinate activities with the state Rehabilitation Advisory Councils and other state councils that address the needs of specific disability populations and disability issues under other federal laws;
- (D) Submit to the Commissioner of the Rehabilitation Services

Administration such reports as requested and maintain the records needed to verify such reports;

Carry out such other duties and responsibilities as may be required by the Rehabilitation Act.

Given at the Executive Chamber in Boston this 26th day of September in the year one thousand nine hundred and ninety-four.

William F. Weld, Governor

Commonwealth of Massachusetts

Michael Joseph Connolly

Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS