

Executive Order 2007-15

Re-establishing the Statewide Independent Living Council (Amending and Superseding Executive Order 98-10)

WHEREAS, federal law requires each state to establish a Statewide Independent Living Council pursuant to 29 U.S.C. § 796d(a) in order to be eligible to receive financial assistance under the Federal Rehabilitation Act; and

WHEREAS, establishing such a council will help promote equal access to independent living services for all Arizona citizens with disabilities; and

WHEREAS, such a council can help assess the need for, and quality of, independent living programs and services in Arizona; and

WHEREAS, such a council can also help facilitate systemic changes to promote dignity, inclusion, and non-discrimination for all people with disabilities in Arizona;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby confirm the establishment of the Statewide Independent Living Council (Council) and further delineate its responsibilities and organization as follows:

1. The Governor shall appoint the members of the Council, who shall serve staggered three-year terms.
2. The membership of the Council shall be comprised of no fewer than fifteen and no more than twenty-one members and shall include:
 - At least one director of a center of independent living recommended by the directors of centers for independent living within the State of Arizona;
 - Parents and guardians of individuals with disabilities;
 - Advocates of and for individuals with disabilities;
 - Representatives of private businesses; and
 - Representatives from organizations that provide services for individuals with disabilities.
3. In addition, there shall be no more than four non-voting ex-officio members, including a representative from the Arizona Department of Economic Security, Rehabilitation Services Administration and representatives from other state agencies that provide services for individuals with disabilities.

4. To the extent practicable, the Council shall be comprised of members who:
 - a. Provide statewide representation;
 - b. Represent a broad range of individuals with disabilities; and
 - c. Who are knowledgeable about centers for independent living and independent living services; and
5. To the extent practicable, voting members of the Council shall include persons with a disability described as in section 705 (20)(B) of the Rehabilitation Act and who are not employed by any state agency or center for independent living.
6. No member of the Council may serve more than two consecutive full terms.
7. A member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of the term.
8. The Governor may remove any member for cause.
9. The Council, among other things, shall:
 - Jointly develop and sign, along with other designated state agencies, the state plan required in section 796c of the Federal Rehabilitation Act;
 - Monitor, review and evaluate the implementation of the state plan;
 - Coordinate activities with the state rehabilitation council;
 - Conduct hearings and forums as determined necessary to carry out the duties of the Council;
 - Consistent with state law, supervise and evaluate staff and personnel as may be necessary; and
 - As requested by the Regional Commissioner for Rehabilitation Services, submit reports and keep such records as the Regional Commissioner deems necessary.
10. Members of the Governor's Council may, with the Governor's permission, send designees to serve on the Council; provided, however, that such designees shall have been delegated by the member with full authority to vote and otherwise act on behalf of the member.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.


GOVERNOR

DONE at the Capitol in Phoenix on the 18th day of July in the Year Two Thousand and Seven and of the Independence of the United States of America in the Two Hundred Thirty-second.

ATTEST:


SECRETARY OF STATE



EXECUTIVE ORDER 98-10
ESTABLISHMENT OF THE STATEWIDE INDEPENDENT LIVING COUNCIL

WHEREAS, Federal Law requires each State to establish a Statewide Independent Living Council to be eligible to receive financial assistance under The Federal Rehabilitation Act.

NOW, THEREFORE, I, Jane Dee Hull, Governor of the State of Arizona do hereby confirm the establishment of the Statewide Independent Living Council and delineate herein its responsibilities and organization.

1. The Council shall:
 - a. Jointly develop and sign (in conjunction with the designate State unit) the State plan required in section 704.
 - b. Monitor, review and evaluate the implementation of the State plan.
 - c. Coordinate activities with the State Rehabilitation Council established under section 105, if the State has such a Council, or the commission described in Section 101 (a)(21)(A), if the State has such a commission, and councils that address the needs of specific disability populations and issues under other Federal law.
 - d. Ensure that all regularly scheduled meetings of the Statewide Independent Living Council are open to the public and sufficient advance notice is provided.
 - e. Submit to the Commissioner such periodic reports as the Commissioner may reasonably request, and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports.

2. The Council membership shall consist of:
 - a. At least one director of a center of independent living chosen by the directors of centers for independent living within the State appointed by the Governor.
 - b. At least one representative of the directors of the projects, in a State in which one or more projects are carried out under Section 121 appointed by the Governor.
 - c. A representative from the Department of Economic Security, Rehabilitation Services Administration, and representatives from other State agencies (not to exceed four) that provide services for individuals with disabilities as ex officio, nonvoting members selected by the Council.

3. The Council may include:
 - a. Other representatives from centers for independent living, parents and guardians of individuals with disabilities.
 - b. Advocates of and for individuals with disabilities.

- c. Representatives from private businesses.
 - d. Representatives from organizations that provide services for individuals with disabilities.
 - e. Other appropriate individuals.
4. Members shall be appointed for three year staggered terms.
 - a. Members may serve no more than two consecutive full terms.
 - b. A member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term. The Governor may delegate the authority to fill such a vacancy to the remaining voting members of the Council after making the original appointment.
 5. The Council shall make recommendations to the Governor for appointment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Hull

GOVERNOR

DONE at the Capitol in Phoenix this twenty-ninth day of October in the Year of Our Lord One Thousand Nine Hundred and Ninety Eight and of the Independence of the United States the Two Hundred and Twenty Second.

ATTEST:

Dorothy Bayless
Secretary of State

