

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Civil Administrative Code of Illinois is amended by changing Section 5-550 as follows:

(20 ILCS 5/5-550) (was 20 ILCS 5/6.23)

Sec. 5-550. In the Department of Human Services. A State Rehabilitation Council, hereinafter referred to as the Council, is hereby established for the purpose of complying with the requirements of 34 CFR 361.16 and advising the Secretary of Human Services and the vocational rehabilitation administrator of the provisions of the federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 in matters concerning individuals with disabilities and the provision of vocational rehabilitation services. The Council shall consist of ~~25~~ members appointed by the Governor after soliciting recommendations from ~~representatives~~ of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. However, the Governor may delegate his appointing authority under this Section to the Council by executive order.

The Council shall consist of the following appointed

~~members: The Governor shall appoint to this Council the following:~~

(1) One representative of a parent training center established in accordance with the federal Individuals with Disabilities Education Act.

(2) One representative of the Client Assistance Program ~~client assistance program~~.

(3) One vocational rehabilitation counselor who has knowledge of and experience with vocational rehabilitation programs. ~~†If an employee of the Department of Human Services is appointed under this item, then he or she that appointee shall serve as an ex officio, nonvoting member.†~~

(4) One representative of community rehabilitation program service providers.

(5) Four representatives of business, industry, and labor.

(6) At least two but not more than five representatives ~~Eight representatives~~ of disability advocacy groups representing a cross section of the following:

(A) individuals with physical, cognitive, sensory, and mental disabilities; and

(B) parents, family members, guardians, advocates, or authorized representative of individuals with disabilities who have difficulty in representing themselves or who are unable, due to their disabilities, to represent themselves.

(7) One current or former applicant for, or recipient of, vocational rehabilitation services.

(8) One representative ~~Three representatives~~ from secondary or higher education.

(9) One representative of the State Workforce Investment Board.

(10) One representative of the Illinois State Board of Education who is knowledgeable about the Individuals with Disabilities Education Act.

(11) The chairperson of, or a member designated by, the Statewide Independent Living Council established under Section 12a of the Disabled Persons Rehabilitation Act.

(12) The chairperson of, or a member designated by, the Blind Services Planning Council established under Section 7 of the Bureau for the Blind Act.

(13) The vocational rehabilitation administrator, as defined in Section 1b of the Disabled Persons Rehabilitation Act, who shall serve as an ex officio, nonvoting member.

~~The chairperson of, or a member designated by, the Statewide Independent Living Council created under Section 12a of the Disabled Persons Rehabilitation Act, the chairperson of the Blind Services Planning Council created under the Bureau for the Blind Act, and the vocational rehabilitation administrator shall serve as ex officio members. The vocational rehabilitation administrator shall have no vote.~~

The Council shall select a Chairperson.

The Chairperson and a majority of the ~~at least 12 other~~ members of the Council shall be persons who are individuals with disabilities ~~have a recognized disability. At least one~~ ~~One~~ member shall be a senior citizen age 60 or over, and at least one member shall be at least 18 but not more than 25 years old. A majority of the Council members shall not be employees of the Department of Human Services. ~~Current members of the Rehabilitation Services Council shall serve until members of the newly created Council are appointed.~~

~~The terms of all members appointed before the effective date of Public Act 88-10 shall expire on July 1, 1993. The members first appointed under Public Act 88-10 shall be appointed to serve for staggered terms beginning July 1, 1993, as follows: 7 members shall be appointed for terms of 3 years, 7 members shall be appointed for terms of 2 years, and 6 members shall be appointed for terms of one year. Thereafter, all appointments shall be for terms of 3 years. Vacancies shall be filled for the unexpired term. Appointments to fill vacancies in unexpired terms and new terms shall be filled by the Governor or by the Council if the Governor delegates that power to the Council by executive order. Members shall serve until their successors are appointed and qualified. No member, except the representative of the client assistance program, shall serve for more than 2 full terms.~~

Members appointed to the Council for full terms on or after

the effective date of this amendatory Act of the 98th General Assembly shall be appointed for terms of 3 years. No Council member, other than the vocational rehabilitation administrator and the representative of the Client Assistance Program, shall serve for more than 2 consecutive terms as a representative of one of the 13 enumerated categories. If an individual, other than the vocational rehabilitation administrator and the representative of the Client Assistance Program, has completed 2 consecutive terms and is eligible to seek appointment as a representative of one of the other enumerated categories, then that individual may be appointed to serve as a representative of one of those other enumerated categories after a meaningful break in Council service, as defined by the Council through its by-laws.

Vacancies for unexpired terms shall be filled. Individuals appointed by the appointing authority to fill an unexpired term shall complete the remainder of the vacated term. When the initial term of a person appointed to fill a vacancy is completed, the individual appointed to fill that vacancy may be re-appointed by the appointing authority to the vacated position for one subsequent term.

If an excessive number of expired terms and vacated terms combine to place an undue burden on the Council, the appointing authority may appoint members for terms of 1, 2, or 3 years. The appointing authority shall determine the terms of Council members to ensure the number of terms expiring each year is as

close to equal as possible.

Notwithstanding the foregoing, a member who is serving on the Council on the effective date of this amendatory Act of the 98th General Assembly and whose term expires as a result of the changes made by this amendatory Act of the 98th General Assembly may complete the unexpired portion of his or her term.

Members shall be reimbursed in accordance with State laws, rules, and rates for ~~their actual~~ expenses incurred in the performance of their approved, Council-related duties, including expenses for travel, child care, or ~~and~~ personal assistance services. A ~~and a~~ member who is not employed or who must forfeit wages from other employment may ~~shall~~ be paid reasonable compensation, as determined by the Department, for each day the member is engaged in performing approved ~~the~~ duties of the Council.

The Council shall meet at least 4 times per year at times and places designated by the Chairperson ~~Chairman~~ upon 10 days written notice to the members. Special meetings may be called by the Chairperson or 7 members of the Council upon 7 days written notice to the other members. Nine members shall constitute a quorum. No member of the Council shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under Illinois law.

The Council shall prepare and submit to the vocational rehabilitation administrator the reports and findings that the

vocational rehabilitation administrator may request or that the Council deems fit. The Council shall select jointly with the vocational rehabilitation administrator a pool of qualified persons to serve as impartial hearing officers. The Council shall, with the vocational rehabilitation unit in the Department, jointly develop, agree to, and review annually State goals and priorities and jointly submit annual reports of progress to the federal Commissioner of the Rehabilitation Services Administration.

To the extent that there is a disagreement between the Council and the unit within the Department of Human Services responsible for the administration of the vocational rehabilitation program, regarding the resources necessary to carry out the functions of the Council as set forth in this Section, the disagreement shall be resolved by the Governor.

(Source: P.A. 91-239, eff. 1-1-00; 91-540, eff. 8-13-99; 92-16, eff. 6-28-01.)

Section 99. Effective date. This Act takes effect upon becoming law.