



# Governor's Commission on Disabilities Annual Meeting

**Monday, September 12, 2016 5 PM - 6:30 PM**

John O. Pastore Center, 41 Cherry Dale Court, Cranston, RI 02920-3049

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**Attendees:** Rosemary Carmody; (Interim Chair.); Frederick Burke; Julie DeRosa; Judith Drew; Sarah Everhart Skeels; William Inlow; Arthur Plitt; John Ringland; Linda Ward, Dawn Wardyga; & Gary Witman

**Absentees:** Roxanne Archibald; Andrew Argenbright; Casey Gartland; & Angelina Stabile

**Guests:**

**Staff:** Bob Cooper, Executive Secretary

***5:00 Call to Order and Acceptance of the Minutes, Rosemary Carmody, Interim Chair***

Chair calls the meeting to order at 5:17 PM

Introductions of Commissioners and guests

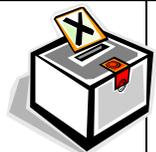
From the Commission's Operating Regulations {Bylaws}

**V.B. Method of Operation - Commission Meetings**

**"1. Annual Meeting**

An annual meeting of the commission shall be held yearly in September to:

- a) Adopt the operational plan of the commission including the establishment or retention of committees, in addition to those established by law or these General Operating Rules, and volunteer units;
- b) Allocate resources, adopt a supplemental budget request for the current fiscal year and set fee and complementary gift schedules;
- c) Adopt a budget request following fiscal year;
- d) Elect the vice chairperson; and
- e) Give advice and consent to the Chairperson's appointments of committee chairpersons and members and liaisons to other boards."



**MOTION:** To accept the minutes of the previous meeting as revised to reflect Fred Burke did not attend.

Motion moved by LW, seconded by BI, passed unanimously

### Action Items:



***5:05 Adoption of the Commission's FY 2017 & 2018 Operational Plan, Rosemary Carmody, Interim Chair***

**Purpose/Goal:** To review and adopt the Commission's Strategic Plan and Budget Requests for Fiscal Years 2017 (revised) & 2018.

**Budget Instructions**

The Governor has directed all state agencies to present 4 budget proposals:  
 FY 2017 Revised (July 1, 2016 to June 30, 2017);  
 FY 2018 Current Service Level (the cost of maintaining services at the FY 2017 level);  
 FY 2018 4 % Constrained (4% below the Current Service Level); and  
 FY 2018 8% Constrained (8% below the Current Service Level).

**Methodology**

The Commission tracks past expenditures (from 2004) and hours of service by state employees, contract employees and fellows (from 2000). Projected expenditures of human and financial resources are calculated on the historic median.  
 The median calculations include years when the Commission had 8 employees and a fellow each semester. As employees retired, their positions were lost. The workload did not decrease when they left. In some cases, the workload increases.  
 The median hours of service is 10,009.

**FY 2017 Revised**

This year's resource plan provides 8,615 hours of service, a 14% drop from the median hours.  
 Advocacy & awareness hours increased 22%; this increase would be used for outreach to the minority and elder communities.  
 Protecting the rights of individuals with disabilities hours (including voting rights) decreased -48%. The Help America Vote Act - Election Assistance to Individuals with Disabilities federal grant expired on June 30, 2016. The resource plan includes 191 hours of service devoted to voting rights, down from the median of 491, a 61 % decline.  
 Promoting employment hours up 6%.  
 Administrative support hours up 29%. Administrative support's increase is due to the acquisition of the independent living program. The Commission will be hiring a part time grant assistant to handle the additional administrative responsibilities. The grant assistant will allow other staff to increase hours devoted to advocacy & awareness, with a special emphasis on outreach to minority and elder communities. The grant assistant's position starts October 2<sup>nd</sup>.  
 The Commission's general revenue (state funds) total is changed from the enacted budget \$412,547 to \$412,566.

Activity	Median	FY 17 CSL
Advocacy & awareness hours	2,300	2,801
Protecting the rights of individuals with disabilities hours	4,901	2,552
Promoting employment hours	1,574	1,664
Administrative support hours	1,234	1,598

**FY 2018 Current Service Level**

The 2018 Current Service Level resource plan provides for 9,011 hours of service.  
 Advocacy & awareness hours would increase 11%, to maintain the outreach efforts for a full year.  
 Protecting the rights of individuals with disabilities hours decreased 7%, related to the lack of major elections during the fiscal year;  
 Promoting employment hours are unchanged; and

Administrative support hours increases 16%, since it includes the grant assistant working the full year. To maintain the current level of service and administer the independent living program for a full year (rather than ¾ of a year) the Commission would need **\$433,241** in general revenue, \$20,676 more or a 5% increase over the FY 2017 enacted level.

Activity	FY 17 CSL	FY 18 CSL
Advocacy & awareness hours	2,801	3,112
Protecting the rights of individuals with disabilities hours	2,552	2,373
Promoting employment hours	1,664	1,666
Administrative support hours	1,598	1,860

**FY 2018 4% Constrained**

Fifty percent of the Commission’s budget is for personnel. Thirty-nine percent is grants and assistance (fellowships & independent living services). Any reductions come from personnel. The office would close **every Friday 2 ½ hours early**. The 2018 4% reduction from the Current Service Level provides for 8,543 hours of service, a 5% decrease. Advocacy & awareness hours decreased 7%. Protecting the rights of individuals with disabilities hours decreased 8%. Promoting employment hours decrease 3%. Administrative support hours decreases 1%. The Commission would receive **\$406,667** or **(\$26,574)** less than in FY 2018 current service level, while administering the independent living program for a full year, rather than ¾ of a year. A 6% shortfall.

Activity	FY 18 CSL	FY 18 4% cut
Advocacy & awareness hours	3,112	2,892
Protecting the rights of individuals with disabilities hours	2,373	2,187
Promoting employment hours	1,666	1,633
Administrative support hours	1,860	1,831

**FY 2018 8% Constrained**

The office would **close every Friday 4 hours early**. The 2018 8% reduction from the Current Service Level provides for 8,188 hours of service, a 5.9% decrease. Advocacy & awareness hours decreased 12%. Protecting the rights of individuals with disabilities hours decreased 11%. Promoting employment hours are decreased by 7%. Administrative support hours decreases 5%. The Commission would receive only \$389,919, 10% less than in FY 2018 CSL, or **(\$43,322)**.

Activity	FY 18 CSL	FY 18 8% cut
Advocacy & awareness hours	3,112	2,745
Protecting the rights of individuals with disabilities hours	2,373	2,113
Promoting employment hours	1,666	1,554
Administrative support hours	1,860	1,776

**FY 2018 Initiative - The RI Livable Homes Tax Credit Act**

This past legislative session the Commission supported the **RI Livable Home Tax Credit Act (LHTC)**, sponsored by the National Multiple Sclerosis Society - Rhode Island Chapter.

The program is designed to improve accessibility and universal visitability in Rhode Island’s residential units by providing state tax credits for the purchase of new units or the retrofitting of existing housing units. Tax credits are available for up to **\$5,000** for the purchase of a new accessible residence and up to 50 percent for the cost of retrofitting existing units, not to exceed \$5,000. Any tax credit that exceeds the eligible individual’s tax liability may be carried forward for up to seven years. If the total amount of tax credits issued under this program exceeds the \$1 million allocation in a given fiscal year, the Governor’s Commission on Disabilities would pro-rate the amount of credits among the eligible applicants.

Accessible housing standards vary depending on whether the unit is new or if an existing unit is being retrofitted to provide accessibility. Accessibility features that meet existing standards include:

- Accessible route to a zero-step entrance on a firm surface no steeper than 1:12 from a driveway or public sidewalk;
- Zero-step entrance;
- Doorways with at least 32 inches of clear width;
- Hallways and passages with at least 36 inches of clear width;
- Accessible light switches, electrical outlets, and environmental controls;
- Accessible bathrooms; and
- Accessible and usable kitchen facilities.

Sensory modifications include alarms, appliances and controls designed to assist persons with sensory disabilities. These modifications must be structurally integrated into the unit and may include such items as built-in appliances. Universal visitability standards are similar to accessible housing standards and must:

- Provide at least one zero-step entrance by an accessible route on a firm surface no steeper than 1:12 slope proceeding from a driveway or public sidewalk;
- Include an accessible bathroom (can be a half bath/powder room) on the same floor as the zero-step entrance; and
- Include doors with at least 32 inches of clear width and hallways/passage ways of at least 36 inches of clear width to an accessible bathroom and eating area.

Individuals or licensed contractors filing Rhode Island income tax returns who have incurred costs for the purchase/construction of new residential units with accessibility or universal visitability features, or for the retrofitting of existing residential units with these features, on or after January 1, 2018 are eligible for the program under the following guidelines.

1. Eligible purchase or retrofitting expenses cannot be claimed by more than one taxpayer.
2. Eligible housing units must meet the following requirements:
  - a. New residential units must include at least three features of the universal visitability standards, or include at least three accessibility features.
  - b. Existing units being retrofitted must include at least one accessibility or visitability feature.
3. All accessibility and universal visitability features must be completed in conformity with the provisions of Rhode Island’s State Building Code.
4. Accessibility features that are provided in order to comply with existing Fair Housing, Equal Opportunity, Americans with Disabilities Act, or other local, state or federal requirements are not eligible for tax credits.
5. Additionally, accessibility features that are funded through the Granting Freedom Program, Indoor Plumbing Rehabilitation program, Community Development Block Grant program, or other local, state or federal programs are not eligible for tax credits. Costs for accessibility or visitability features must be incurred by the applicant in order to claim the tax credit.

*Should the Commission support the RI Livable Homes Tax Credit Act in 2017?*

*Should the Commission administer the program, if funded?*

*Should the Commission submit the RI Livable Homes Tax Credit Act as a new initiative for the Governor to consider is she develops her budget proposals?*

**Impact of the RI Livable Homes Tax Credit Act administration on the Commission’s other activities**

Compared to the FY 2018 Current Service Level funding very slight changes to hours of service would occur:

Advocacy & awareness reduced by 8 hours;

Protecting the rights of individuals with disabilities increased by 9 hours; and

No change in hours for Promoting employment.

Only administrative hours would increase by 417 to administer the certification of access renovations; pre and post renovation on-site inspections and processing of the certification documents to the Division of Taxation.

Activity	FY 18 CSL	FY 18 Livable Homes
Advocacy & awareness hours	3,112	3,104
Protecting the rights of individuals with disabilities hours	2,373	2,382
Promoting employment hours	1,666	1,666
Administrative support hours	1,860	2,277

On the next two pages are spreadsheets showing all the budget requests side by side for comparison.

All Funds Hours of Service (including contractors & fellows)	Prior Years Median	FY 2017 Enacted	[D] FY 2017 Revised	[A] FY 2018 CSL	[B] Livable Homes	Constrain A 4% cut	Constrain B 8% cut
Advocacy	1,366	1,778	1,778	1,778	1,778	1,663	1,609
Information & Referral	935	931	1,023	1,334	1,326	1,229	1,136
<b>Advocacy &amp; Awareness Hours</b>	<b>2,300</b>	<b>2,709</b>	<b>2,801</b>	<b>3,112</b>	<b>3,104</b>	<b>2,892</b>	<b>2,745</b>
Advocacy & Awareness Hours FTEs	0.89	1.27	1.33	1.51	1.51	1.37	1.28
Access to Government Services (ADA Title II)	1,325	988	1,337	1,213	1,205	1,059	1,002
Access to Public Accommodations (ADA Title III)	2,818	700	902	892	909	860	860
Voting Rights	491	191	191	145	145	145	129
Disability Rights Compliance	267	123	123	123	123	123	123
<b>Protecting Individuals Rights Hours</b>	<b>4,901</b>	<b>2,002</b>	<b>2,552</b>	<b>2,373</b>	<b>2,382</b>	<b>2,187</b>	<b>2,113</b>
Protecting Individual Rights FTEs	1.61	1.45	1.43	1.32	1.28	1.21	1.16
<i>Difference from Accessibility Maintenance of Effort</i>	<i>2,189</i>	<i>236</i>	<i>769</i>	<i>754</i>	<i>763</i>	<i>568</i>	<i>495</i>
Employment (ADA Title I)	1,339	1,411	1,604	1,602	1,602	1,568	1,489
DBE Hours of Service	235	60	60	65	65	65	65
<b>Prompting Employment Hours</b>	<b>1,574</b>	<b>1,471</b>	<b>1,664</b>	<b>1,666</b>	<b>1,666</b>	<b>1,633</b>	<b>1,554</b>
Prompting Employment FTEs	0.99	1.00	0.89	0.89	0.94	0.87	0.82
<i>Difference from Employment Maintenance of Effort</i>	<i>256</i>	<i>256</i>	<i>79</i>	<i>111</i>	<i>111</i>	<i>77</i>	<i>(2)</i>
GCD Administration Hours of Service	1,234	852	882	869	853	869	823
Independent Living Admin. Hours of Service		442	410	592	592	564	555
Statewide Independent Living Council Hours of Serv.		267	269	348	348	348	348
Livable Homes Tax Credit Admin. Hours of Service		-	-	-	434	-	-
NE ADA Administrative Support hours		24	36	50	50	50	50
<b>Administrative Support Hours</b>	<b>1,234</b>	<b>1,585</b>	<b>1,598</b>	<b>1,860</b>	<b>2,277</b>	<b>1,831</b>	<b>1,776</b>
Administrative Support FTEs	0.70	0.70	1.21	1.26	1.44	1.23	1.19
<b>Grand Total Hours</b>	<b>10,009</b>	<b>7,766</b>	<b>8,615</b>	<b>9,011</b>	<b>9,429</b>	<b>8,543</b>	<b>8,188</b>
<b>Full Time Equivalent (FTEs)</b>	<b>4.19</b>	<b>4.42</b>	<b>4.86</b>	<b>4.98</b>	<b>5.17</b>	<b>4.67</b>	<b>4.44</b>
General Revenue Total	4.07	4.53	4.47	4.71	4.90	4.40	4.17
Federal Total	0.45	-	-	-	-	-	-
Restricted Receipt Total	-	0.44	0.39	0.27	0.27	0.27	0.27
<b>Grand Total FTEs</b>	<b>4.52</b>	<b>4.97</b>	<b>4.86</b>	<b>4.98</b>	<b>5.17</b>	<b>4.67</b>	<b>4.44</b>
<i>Employment - Maintenance of Effort</i>	<i>1,155</i>	<i>1,155</i>	<i>1,155</i>	<i>1,155</i>	<i>1,155</i>	<i>1,155</i>	<i>1,155</i>
<i>Accessibility - Maintenance of Effort (MOE)</i>	<i>1,643</i>	<i>1,643</i>	<i>1,643</i>	<i>1,643</i>	<i>1,643</i>	<i>1,643</i>	<i>1,643</i>
<b>State Employees Workweek</b>		<b>35.0</b>	<b>35.0</b>	<b>35.0</b>	<b>35.0</b>	<b>32.4</b>	<b>31.2</b>
<b>Hours closed each week</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(2.6)</b>	<b>(3.9)</b>

Description	Prior Years Median	FY 2017 Enacted	[D] FY 2017 Revised	[A] FY 2018 CSL	[B] Livable Homes	Constrain A 4% cut	Constrain B 8% cut
Wages & Benefits	\$358,266	\$372,689	\$386,634	\$388,111	\$388,740	\$361,848	\$348,457
Contracted Professional Services	\$121,559	\$10,501	\$46,584	\$60,883	\$67,936	\$61,108	\$58,492
Operating Supplies and Expenses	\$37,966	\$25,119	\$35,041	\$42,775	\$51,647	\$42,781	\$42,783
Assistance and Grants	\$21,570	\$277,114	\$230,740	\$302,193	\$302,193	\$302,193	\$302,193
Capital Purchases and Equipment	\$5,985	\$0	\$0	\$0	\$0	\$0	\$0
<b>Grand Total All Funds</b>	<b>\$545,345</b>	<b>\$685,423</b>	<b>\$698,999</b>	<b>\$793,962</b>	<b>\$810,515</b>	<b>\$767,929</b>	<b>\$751,925</b>
<b>General Revenue</b>							
GCD Operations Subtotal	\$405,878	\$366,436	\$367,710	\$379,479	\$378,213	\$354,312	\$338,973
<i>Over/Under Target</i>			\$1,274	\$10,983	\$9,717	\$556	(\$43)
Mary Brennan Fellowship Subtotal	\$24,580	\$14,718	\$14,718	\$14,718	\$14,718	\$14,718	\$14,718
<i>Over/Under Target</i>			\$0	\$0	\$0	\$589	\$1,177
Disability Business Enterprise Subtotal	\$36,326	\$4,993	\$3,738	\$3,844	\$3,844	\$3,845	\$3,844
<i>Over/Under Target</i>			(\$1,255)	(\$1,149)	(\$1,149)	(\$1,148)	(\$1,149)
Independent Living Administration Subtotal		\$26,400	\$12,593	\$16,807	\$16,807	\$15,940	\$15,276
<i>Over/Under Target</i>			\$0	\$0	\$0	\$0	\$0
Statewide Independent Living Council Subtotal		\$0	\$13,807	\$18,393	\$18,393	\$17,852	\$17,108
<i>Over/Under Target</i>			\$0	(\$447)	\$0	\$0	\$0
<i>Independent Living State Match Total</i>		\$26,400	\$26,400	\$35,200	\$35,200	\$33,792	\$32,384
Livable Homes Tax Credit Subtotal		\$0	\$0	\$0	\$17,819	\$0	\$0
<i>Over/Under Target</i>					\$17,819		
<b>Total All General Revenue</b>	<b>\$466,784</b>	<b>\$412,547</b>	<b>\$412,566</b>	<b>\$433,241</b>	<b>\$449,794</b>	<b>\$406,667</b>	<b>\$389,919</b>
Target		\$412,547	\$412,547	\$411,791	\$411,791	\$395,319	\$378,848
<i>Over/Under Target Corrected Targets</i>		\$0	\$19	\$21,450	\$38,003	\$11,348	\$11,072
Budget Office Targets (not corrected for missing 1/4 IL)			\$412,547	\$414,273	\$414,273	\$397,702	\$381,131
<i>Over/Under Target (not corrected for missing 1/4 IL)</i>			\$19	\$18,968	\$35,521	\$8,965	\$8,788
<b>Federal Funds:</b>							
Independent Living Services Grant Subtotal	\$0	\$228,750	\$227,020	\$308,776	\$308,776	\$309,317	\$310,061
<b>Total All Federal Funds:</b>	<b>\$0</b>	<b>\$228,750</b>	<b>\$227,020</b>	<b>\$308,776</b>	<b>\$308,776</b>	<b>\$309,317</b>	<b>\$310,061</b>
<b>Restricted Receipts</b>							
Technical Assistance Subtotal	\$16,816	\$10,505	\$11,698	\$11,866	\$11,866	\$11,866	\$11,866
Restricted Receipts Available		\$0	\$15,242	\$15,242	\$15,242	\$15,242	\$15,242
<i>Difference from Available over/(under)</i>		(\$10,505)	\$3,544	\$3,376	\$3,376	\$3,376	\$3,376
NE ADA Technical Assistance Grant Subtotal	\$61,745	\$33,621	\$47,714	\$40,079	\$40,079	\$40,079	\$40,079
NE ADA Grant Funds Available	\$64,368	\$94,209	\$64,589	\$40,875	\$40,875	\$40,875	\$40,875
<i>Over/Under Projected Funding</i>	(\$2,623)	(\$60,588)	(\$16,875)	(\$796)	(\$796)	(\$796)	(\$796)
<b>Total Restricted Receipts</b>	<b>\$78,561</b>	<b>\$44,126</b>	<b>\$59,413</b>	<b>\$51,945</b>	<b>\$51,945</b>	<b>\$51,945</b>	<b>\$51,945</b>
<b>Grand Total All Funding Sources</b>	<b>\$545,345</b>	<b>\$685,423</b>	<b>\$698,999</b>	<b>\$793,962</b>	<b>\$810,515</b>	<b>\$767,929</b>	<b>\$751,925</b>



MOTION: To allocate FY 2017 service hours resource plan and supplemental budget request as presented.

Motion moved by LW, seconded by JR, passed unanimously

MOTION: To allocate FY 2018 Current Service Level service hours resource plan and the budget request as presented.

Motion moved by LW, seconded by DW, passed/unanimously

MOTION: To allocate **FY 2018 4%** reduction service hours resource plan and the budget request as presented. The cover letter shall indicate the impact of the draconian cuts: reducing the commission's ability to protect the voting and civil rights of people with disabilities; limiting the proposed diversity outreach to minority & elder communities; and compliance with the US Department of Justice - State of Rhode Island's Olmsted Consent Decree.

Motion moved by LW, seconded by JR, passed unanimously

MOTION: To allocate **FY 2018 8%** reduction service hours resource plan and the budget request as presented. The Commission will not be able to meet its statutory obligations.

Motion moved by LW, seconded by JD, passed unanimously

MOTION: To adopt the operational (strategic) plan at the current service level of the Commission as presented.

Motion moved by JR, seconded by DW, passed unanimously

MOTION: To allocate FY 2018 **RI Livable Homes Tax Credit Act** service hours resource plan and the budget request revised to limit the credits to homes occupied by person(s) with disabilities and the submit the 2017 legislation as a new initiative for the Governor to consider for inclusion into her 2018 Budget.

Motion moved by LW, seconded by SKS, passed unanimously

MOTION: To request on behalf of the Statewide Independent Living Council an extension until September 26, 2016 to submit the FY 17 & 18 Budget Requests for the federal independent living service account.

Motion moved by JD, seconded by AP, passed, abstained JR

MOTION: To retain the 2016 fee and complementary gift schedules, as follows:

- For a donation equal to Correction Industries List Price for a single sign - disability-parking sign, van accessible sign, or special order signs;
- Copies of public records: fifteen cents (\$.15) per page for documents copyable on common business or legal size paper;
- Videotape copies of a single ABLE TOO... TV program \$20; and

	<ul style="list-style-type: none"> <li>Hourly costs for a search and retrieval (\$15.00) per hour and no costs for the first hour of a search or retrieval.</li> </ul> <p>Motion moved by DW, seconded by JD, passed unanimously</p>
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**Memorandum of Agreement between**

**The RI Office of Rehabilitation Services  
and**

**The Governor's Commission on Disabilities**

**September 12, 2016**

**Purpose:** To detail the authority and basis for the drawdown of the balance of unexpended funds in the FFY 16 Title VII Part B SILS Grant and to authorize the transfer of those funds from ORS to the GCD so that it may allocate those funds in accordance with RI SPIL 17-19.

**Legal Basis:**

Rhode Island Public Law 2016 Chapter 142 Article 4 § 19 designated the Governor's Commission on Disabilities to be the designated state entity (DSE), pursuant to section 705(e) of the Workforce Innovation and Opportunity Act (29 U.S.C. 796c).

As the DSE under WIOA for Title VII Part B Independent Living State Grants, the GCD is so authorized to carry out its role as the DSE by receiving, disbursing and accounting for Title VII Part B Federal Independent Living State Grants funds so as to assure the provision of independent living services appropriations in accordance with the approved RI (SPIL) State Plan for Independent Living consistent with the authorities of section 705 of the Rehab Act and pursuant to section 705(e) of the Workforce Innovation and Opportunity Act (29 U.S.C. 796c).

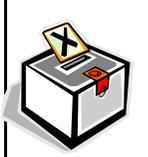
Therefore, any independent living proceedings or other business or matters pertaining to these such funds, undertaken or commenced prior to the effective date of the Governor of the State of Rhode Island's executive order by the previously designated state unit (ORS) and pending on the effective date, may be conducted and completed by the Governor's Commission on Disabilities- including disbursement of the funds remaining in the FFY16 Title VII Part B Federal Independent Living State Grants - not yet expended, but eligible to be expended during FFY17.

ORS, will as agreed, draw the balance of the FFY16 Grant upon execution of this agreement, and facilitate the electronic transfer of (deposit of) those funds to the GCD Account specified:

Account# 17.10.022.2590103.02

Amount# \$150,000<sup>1</sup>

In receiving these funds the GCD, agrees to disburse and account for expenditures accordingly.

 <p><small>Graphic: Ballot going into voting box</small></p>	<p><b>MOTION:</b> To approve Services and the Commission, regarding the transfer of the balance of unexpended funds in the FFY 16 Title VII Part B State Independent Living Services (SILS) Grant from ORS to the GCD, and authorize the Executive Secretary to sign that agreement.</p> <p>Motion moved by DW, seconded by AP, passed abstained JR</p>
	<p><b>MOTION</b> to authorize the Executive Secretary to negotiate a Contract between the Governor's Commission on Disabilities and the Ocean State Center for Independent Living for the FFY 17 - 19 Title VII Part B</p>

<sup>1</sup> Approximate amount.

	<p>State Independent Living Services, in accordance with the federally approved FFY 17 - 19 State Plan for Independent Living, to be adopted by Executive Committee.          Motion moved by JD, seconded by FB, passed abstained JR</p>
	<p><b><i>6:10 Election of the Vice Chairperson, Rosemary Carmody, Interim Chair</i></b></p> <p><b>Purpose/Goal:</b> To select a Vice Chairperson to preside in the absence of the Commission's Chairperson</p>
	<p>Discussion:</p>
	<p>MOTION: To nominate for Vice Chairperson Rosemary Carmody.          Motion moved by SES, seconded by JD, adopted RC abstained          MOTION: To nominate for interim Vice Chairperson Sarah Everhart Skeels, while the Commission Vice Chairperson is serving as Interim Chairperson, pending appointment by the Governor of a Chairperson          Motion moved by JD, seconded by LW, adopted SES abstained.</p>
	<p><b><i>6:20 Advice and Consent to the Chairperson's appointments of committee<sup>ii</sup> chairpersons and members and liaisons to other boards, Rosemary Carmody</i></b></p>
	<p><b>Accessibility Committee</b>          Chair Jack Ringland          Members: Arthur Plitt</p>
	<p><b>Disability Business Enterprises Committee<sup>iii</sup></b>          Chair Andrew Argenbright          Members: (Law attached calls for appointing 3 persons with disabilities, not necessarily Commissioners)</p>
	<p><b>Election Assistance Committee</b> (To be merged into the Accessibility Cmte in January)          Chair Rosemary Carmody          Members: Casey Gartland &amp; Arthur Plitt</p>
	<p><b>Employment Committee</b>          Chair Sarah Everhart Skeels          Members: Arthur Plitt &amp; Frederick Burke</p>
	<p><b>Hearing Board<sup>iv</sup></b>          Chair Judith Drew          Members: Frederick Burke, Arthur Plitt &amp; Gary Witman</p>
	<p><b>Legislation Committee</b>          Chair Linda Ward;          Members: Rosemary Carmody; Casey Gartland; John Ringland; Julie DeRosa; William Inlow; Arthur Plitt; Angelina Stabile; Dawn Wardyga</p>
	<p><b>Coordinating Committee on Disability Rights<sup>v</sup></b>          Chair Rosemary Carmody, Vice Chair Bob Cooper          Members:</p>
	<p><b>Liaisons</b></p>

	<p>Bob Cooper, US Commission for Civil Rights - RI Advisory Committee, Workforce Partnership of Greater RI, &amp; designated as the Commission's Public Records Coordinator &amp; Regulations Coordinator  Christopher DeGrave, Emergency Management Advisory Committee<sup>vi</sup>  Gary Witman, National Organization on Disability  Judith Drew, Transportation Advisory Committee<sup>vii</sup>, to the State Planning Council &amp; Coalition for Transportation Choices  Linda Ward, Developmental Disabilities Council's Stakeholders &amp; EMA's Elderly &amp; Disability Working Group  Rosemary Carmody, State Board of Election's Voter Registration Advisory Committee<sup>viii</sup>  Cathy Taylor, Home and Community Care Advisory Committee<sup>ix</sup>  Julie DeRosa, Statewide Independent Living Council<sup>x</sup></p> <p>MOTION: To give advice and consent to the appointments of the chair as presented above.  Motion moved by AP, seconded by SKS, passed unanimously</p>
	<p><b><i>6:25 Agenda for the Next Meeting, Rosemary Carmody, Interim Chair</i></b></p> <p><b>Purpose/Goal: To set the agenda for the next meeting.</b></p> <p>Discussion:  The Commission meets 3<sup>rd</sup> Monday 11/30/16 from 5 - 6:30 PM.</p> <p>From the Commission's Operating Regulations {Bylaws}  <b><u>V.B. Method of Operation - Commission Meetings</u></b>  "2. Fall Legislative Meeting  The commission shall conduct a special meeting, each fall to develop its legislative package for the following General Assembly Session.  The Legislation Committee shall propose a Legislative Package and Scope of Review for the Commission to consider.  The Commission shall review, modify and adopt:  a) A Legislative Package and transmit to the Governor, and  b) A scope of review for the Legislation Committee"</p>
	<p><b><i>6:30 Adjournment, Rosemary Carmody, Interim Chair</i></b>  Chair adjourned the meeting at 6:54 PM.</p>

<sup>i</sup> § 38-2-4 Access to Public Records - Cost. – (a) Subject to the provisions of § 38-2-3, a public body must allow copies to be made or provide copies of public records. The cost per copied page of written documents provided to the public shall not exceed fifteen cents (\$.15) per page for documents copyable on common business or legal size paper. A public body may not charge more than the reasonable actual cost for providing electronic records or retrieving records from storage where the public body is assessed a retrieval fee.

(b) A reasonable charge may be made for the search or retrieval of documents. Hourly costs for a search and retrieval shall not exceed fifteen dollars (\$15.00) per hour and no costs shall be charged for the first hour of a search or retrieval. For the purposes of this subsection, multiple requests from any person or entity to the same public body within a thirty (30) day time period shall be considered one request.

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(c) Copies of documents shall be provided and the search and retrieval of documents accomplished within a reasonable time after a request. A public body upon request, shall provide an estimate of the costs of a request for documents prior to providing copies.

(d) Upon request, the public body shall provide a detailed itemization of the costs charged for search and retrieval.

(e) A court may reduce or waive the fees for costs charged for search or retrieval if it determines that the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

<sup>ii</sup> **§ 42-51-6.2 Committees and mediation teams.** – (a) The commission is authorized to create advisory committees and mediation teams to perform tasks within the jurisdiction of the commission.

(b) The commission may itself, or it may empower these committees and mediation teams to:

(1) Study the concerns of people with disabilities in reaching the maximum in independent living and human development and exercising all of the rights and responsibilities accorded to citizens of this state;

(2) Arouse community interest in the concerns of people with disabilities;

(3) Foster through community effort or otherwise good will among the groups and elements of the population of the state towards people with disabilities; and

(4) Attempt by informal methods of conference, persuasion, and conciliation, to induce compliance with matters within the jurisdiction of the commission.

(c) The committees and teams may make recommendations to the commission for the development of policies and procedures in general.

(d) Advisory committees and mediation teams created by the commission shall be composed of representative citizens serving without pay, but with reimbursement for actual and necessary traveling expenses.

(e) Three (3) members of a committee constitutes a quorum for the purpose of conducting the business of that committee.

<sup>iii</sup> **§ 37-2.2-4 Disability business enterprise committee – Membership – Duties.** – (a) There is hereby established within the governor's commission on disabilities a committee, consisting of seven (7) persons, to be known as the disability business enterprise committee.

(b) The committee, shall consist of the director of the department of human services or his or her designee; the director of the department of behavioral healthcare, developmental disabilities and hospitals or his or her designee; the director of the economic development corporation or his or her designee; the director of administration or his or her designee; and three (3) persons with disabilities appointed by the chairperson of the governor's commission on disabilities. All members of the committee shall serve without compensation. Of the number appointed originally under this chapter, one-third (1/3) shall be appointed for a term of one year; one-third (1/3) shall be appointed for a term of two (2) years; and one-third (1/3) shall be appointed for a term of three (3) years. Thereafter, vacancies created by expiration of terms shall be filled with appointments for terms of three (3) years. Members whose terms expire may be reappointed to succeed themselves. The chairperson of the governor's commission on disabilities or his or her designee shall serve as chairperson of the committee. The members of the committee shall elect a vice chairperson and other officers as are necessary from amongst themselves annually.

(c) The governor's commission on disabilities shall promulgate such rules and regulations, in accordance with the Administrative Procedures Act, chapter 35 of title 42, as are necessary and proper to ensure responsible management, operation, oversight of the committee, and ensure that all businesses referred to in § 37-2.2-3.1 meet all applicable government regulations and standards, including those of the United States department of labor, the state department of human services, and the chief purchasing officer with regard to developing a program which involves small disadvantaged businesses as contractors, § 37-2-9(b)(14).

(d) The committee shall establish a procedure to certify small disadvantaged disability businesses that qualify under § 37-2.2-3.1 and submit a list of the certified small disadvantaged disability businesses and the products and services provided by them to the chief purchasing officer at least once a year. The chief purchasing officer shall utilize that procurement list in the program which involves small disadvantaged businesses as contractors established by subsection 37-2-9(b)(14).

<sup>iv</sup> **§ 42-51-6.1 Hearing boards.** – (a) The commission's chairperson shall appoint five (5) commissioners as the hearing board for the purpose of conducting hearings and rendering decisions on matters relating to the provisions of chapter 87 of this title *{Civil Rights of People With Disabilities}* and §§ 37-8-15.1 *{Public Buildings - Accessibility of leased or rented facilities for people with disabilities}* and 42-46-13 *{Open Meetings - Accessibility for persons with disabilities}* within the jurisdiction of the commission.

(b) Three (3) commissioners shall constitute a quorum of a hearing board.

(c) The hearing board is empowered to:

(1) Receive, investigate, and act upon charges of unlawful practices within its jurisdiction; and

(2) In connection with any investigation or hearing held on any matter within its jurisdiction to hold hearings, administer oaths, take the testimony of any person under oath, and to require the production for examination of any books and papers relating to any matter under investigation or in question before the hearing board.

<sup>v</sup> **§ 42-51-10 State coordinating committee on disability rights.** – The commission shall establish a state coordinating committee on disability rights to advise and assist the commission to implement self-evaluation and compliance plans as

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required by federal and state laws protecting the rights of individuals with disabilities. The committee shall be composed of thirteen (13) members who shall be as follows: one representative of each of the general officers of the state, appointed by that general officer; one representative of the house of representatives, appointed by the speaker of house; one representative of the senate, appointed by the president of the senate; one representative of the judiciary, appointed by the chief justice of the supreme court; one representative of each of the boards of education, appointed by the chairperson of that board; one representative of the public transit authority, appointed by the chairperson of the authority, and those additional representatives the chairperson of the governor's commission on disabilities may appoint from the executive branch and the general public. Those persons acting as committee members on July 21, 1992 shall continue to so act until their successors are appointed. Each member shall serve at the pleasure of the appointing authority. The chairperson of the governor's commission on disabilities shall preside at meetings of the committee. The executive secretary of the governor's commission on disabilities shall serve as vice chairperson of the committee.

<sup>vi</sup> **RIGL 30-15-6. Military Affairs and Defense – Emergency Management – Advisory Council.**

(a) There is hereby created the Rhode Island emergency management advisory council (hereinafter in this chapter called the "council"). The council will consist of forty (40) members as follows:

(1) Twenty-two (22) ex officio members as follows:

- (i) The lieutenant governor;
- (ii) The adjutant general;
- (iii) The director of administration/statewide planning;
- (iv) The director of health;
- (v) The director of transportation;
- (vi) The director of human services;
- (vii) The superintendent of state police;
- (viii) The public utilities administrator;
- (ix) The director of the department of environmental management;
- (x) The director of mental health, retardation, and hospitals;
- (xi) The director of elderly affairs;
- (xii) The chairperson of the state water resources board;
- (xiii) The chairperson of the governor's commission on disabilities;
- (xiv) The chairperson of the Rhode Island public transit authority;
- (xv) The executive director of the coastal resources management council or his or her designee;
- (xvi) The executive director of the American Red Cross, Rhode Island chapter;
- (xvii) The executive director of the Rhode Island emergency management agency;
- (xviii) The state court administrator;
- (xix) The executive director of the commission on the deaf and hard of hearing;
- (xx) The director of the Providence emergency management agency;
- (xxi) The executive director of E-911 emergency telephone system division;
- (xxii) The federal security director of the transportation security administration for Rhode Island; and

(2) Eighteen (18) members appointed by and serving at the pleasure of the governor, as follows:

- (i) Two (2) members of the senate, not more than one of whom shall be from the same political party;
- (ii) Two (2) members of the house of representatives, not more than one of whom shall be from the same political party;
- (iii) One representative of the electric industry;
- (iv) One representative of the gas industry;
- (v) One representative of the telephone industry;
- (vi) The executive director of the Rhode Island petroleum association or other similarly situated person;
- (vii) Two (2) representatives of the general public, one who shall have expertise in disaster preparedness;
- (viii) One representative of the Rhode Island league of cities and towns;
- (ix) One representative of E-911, the uniform emergency telephone authority;
- (x) One representative of the media;
- (xi) One representative of the water supply industry;
- (xii) One representative of the health care industry;
- (xiii) One representative of the Rhode Island firefighters association;
- (xiv) One representative of a private ambulance company; and
- (xv) One representative of a level I trauma hospital who shall have direct expertise in disaster preparedness.

(b) It shall be the duty of the council to advise the governor and the adjutant general on all matters pertaining to disaster preparedness. The lieutenant governor shall serve as chairperson of the council and the adjutant general shall serve as vice-chairperson. In providing advice to the governor and the adjutant general, the council shall, among other matters reasonably related to their authority, do the following:

- (1) Establish a regular meeting schedule and form subcommittees as may be appropriate;
- (2) Review emergency management plans and other matters as may be acted upon or otherwise provided for in this chapter;
- (3) Establish priorities and goals on emergency management matters on an annual basis;

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- (4) Study emergency management plans in conjunction with the adjutant general, and otherwise conduct such other studies as may be deemed appropriate;
  - (5) Review the coordination of the state's emergency management programs with appropriate authorized agencies and conduct studies on the programs as may be necessary;
  - (6) Review the plans and operations of the various cities and towns in disaster preparedness in conjunction with the director and his or her office as required or necessary; and
  - (7) [Deleted by P.L. 2000, ch. 170, § 2];
  - (8) Provide an annual report on its activities in conjunction with the adjutant general.

<sup>vii</sup> **§ 42-11-10 Statewide planning program.**

(f) *Powers and duties of state planning council.* The state planning council shall have the following powers and duties:

(1) To adopt strategic plans as defined in this section and the long-range state guide plan, and to modify and amend any of these, following the procedures for notification and public hearing set forth in § 42-35-3, and to recommend and encourage implementation of these goals to the general assembly, state and federal agencies, and other public and private bodies; approval of strategic plans by the governor; and to ensure that strategic plans and the long-range state guide plan are consistent with the findings, intent, and goals set forth in § 45-22.2-3, the "Rhode Island Comprehensive Planning and Land Use Regulation Act";

(2) To coordinate the planning and development activities of all state agencies, in accordance with strategic plans prepared and adopted as provided for by this section;

(3) To review and comment on the proposed annual work program of the statewide planning program;

(4) To adopt rules and standards and issue orders concerning any matters within its jurisdiction as established by this section and amendments to it;

(5) To establish advisory committees and appoint members thereto representing diverse interests and viewpoints as required in the state planning process and in the preparation or implementation of strategic plans. The state planning council shall appoint a permanent committee comprised of:

(i) Public members from different geographic areas of the state representing diverse interests; and

(ii) Officials of state, local, and federal government, who shall review all proposed elements of the state guide plan, or amendment or repeal of any element of the plan, and shall advise the state planning council thereon before the council acts on any such proposal. This committee shall also advise the state planning council on any other matter referred to it by the council; and

(6) To establish and appoint members to an executive committee consisting of major participants of a Rhode Island geographic information system with oversight responsibility for its activities.

(7) To adopt, amend, and maintain, as an element of the state guide plan or as an amendment to an existing element of the state guide plan, standards and guidelines for the location of eligible, renewable energy resources and renewable energy facilities in Rhode Island with due consideration for the location of such resources and facilities in commercial and industrial areas, agricultural areas, areas occupied by public and private institutions, and property of the state and its agencies and corporations, provided such areas are of sufficient size, and in other areas of the state as appropriate.

(8) To act as the single, statewide metropolitan planning organization for transportation planning, and to promulgate all rules and regulations that are necessary thereto.

<sup>viii</sup> **RIGL 17-9.1-31. Elections – Registration of Voters – Voter registration advisory board.**

(a) The state board of elections shall establish a voter registration advisory board, subsequently referred to as the advisory board, to assist in the drafting of regulations and the monitoring of implementation of the National Voter Registration Act of 1993, 42 U.S.C. § 1973gg et seq., and to help recruit and train the volunteer registrars. The advisory board shall issue an annual report to the state board, governor, and general assembly on its activities.

(b) The advisory board shall consist of eighteen (18) members. The governor shall appoint one member from the League of Women Voters, one member of the Urban League, one member of Common Cause, one member of Ocean State Action, one member of the National Association for the Advancement of Colored People, one member of the R.I. Black Caucus of State Legislators, and one representative of a state employees' union. The speaker of the house shall appoint two (2) members, not more than one from the majority party. The president of the senate shall appoint two (2) members, not more than one from the majority party. In addition, the following shall be members: the secretary of state or his or her designee; the directors or their designees of the division of motor vehicles, the department of human services, the department of health, and the department of mental health, retardation, and hospitals; and the chairpersons or their designees of the governor's commission on disabilities and the governor's commission on hispanic affairs. The members shall annually elect a chairperson and other officers as are necessary.

(c) Of the number of members originally appointed under this section, one-third ( $1/3$ ) shall be appointed for a term of one year to be chosen by lot; one-third ( $1/3$ ) shall be appointed for a term of two (2) years, to be chosen by lot; and one-third ( $1/3$ ) shall be appointed for a term of three (3) years, to be chosen by lot. Thereafter, vacancies created by expiration of terms shall be filled with appointments for terms of three (3) years. Members whose terms expire may be reappointed to succeed themselves. The members of the advisory board shall receive no compensation for their services, but may, at the discretion of the governor, be reimbursed for traveling and other expenses actually incurred in the performance of their official duties.

**RIGL 42-66.3-8. Home and community care advisory committee.**

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(a) There is established a permanent state committee to be known as the home and community care services advisory committee established for the purpose of advising the director of elderly affairs relative to the needs and concerns of home and community care services care recipients. The commission shall consist of twenty-three (23) members: six (6) of whom shall be representatives of the general public age sixty (60) years of age or older, two (2) to be appointed by the speaker of the house who shall be members of AARP; one to be appointed by the house minority leader; two (2) to be appointed by the senate president; one of whom shall be a member of AARP; and one to be appointed by the senate minority leader; one of whom shall be a representative of the general public, fifty-nine (59) years of age or under to be appointed by the governor's commission on disabilities; six (6) of whom shall be representatives of home and community care providers to be appointed by the director of elderly affairs, including, one representative of adult day services centers; one representative of assisted living residences; one representative of home nursing care providers/home care providers; one representative of case management agencies; one representative of respite care providers; and one representative of a visiting nurses association; one of whom shall be a family caregiver or a person sixty (60) years of age or older to be appointed by the director of elderly affairs; one of whom shall be the long-term care ombudsperson; one of whom shall be the chairperson of long-term care coordinating council or his or her designee; one of whom shall be the health care advocate of the attorney general's department; one of whom shall be the executive director of the Rhode Island Partnership for Home Care Incorporated, or his or her designee; one of whom shall be the director of the Rhode Island Visiting Nurse Network, or his or her designee; one of whom shall be the director of the Rhode Island chapter of the Alzheimer's Association, or his or her designee; one of whom shall be the director of health, or his or her designee; one of whom shall be the director of human services, or his or her designee; and one of whom shall be the director of mental health, retardation and hospitals, or his or her designee.

(b) The members of the committee shall meet at the call of the director and organize and shall select from among themselves a chairperson. Vacancies in the committee shall be filled in the same manner as the original appointment. The membership of the committee shall receive no compensation for their services. The committee may call upon the department of elderly affairs to provide technical and other assistance as it may deem necessary to accomplish its purpose.

(c) All departments and agencies of the state shall furnish any advice and information, documentary and otherwise, to the committee and its agents as is deemed necessary or desirable by the committee to facilitate the purposes of this chapter.

<sup>x</sup> 29 U.S.C. **796d. Statewide Independent Living Council**

(b) Composition and appointment

(1) Appointment

Members of the Council shall be appointed by the Governor or, in the case of a State that, under State law, vests authority for the administration of the activities carried out under this chapter in an entity other than the Governor (such as one or more houses of the State legislature or an independent board), the chief officer of that entity. The appointing authority shall select members after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities.

(2) Composition

The Council shall include-

(A) among its voting members, at least 1 director of a center for independent living chosen by the directors of centers for independent living within the State;

(B) among its voting members, for a State in which 1 or more centers for independent living are run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations, at least 1 representative of the directors of such centers; and

(C) as ex officio, nonvoting members, a representative of the designated State entity, and representatives from State agencies that provide services for individuals with disabilities.

(3) Additional members

The Council may include-

(A) other representatives from centers for independent living;

(B) individuals with disabilities;

(C) parents and guardians of individuals with disabilities;

(D) advocates of and for individuals with disabilities;

(E) representatives from private businesses;

(F) representatives from organizations that provide services for individuals with disabilities; and

(G) other appropriate individuals.