

Amend Amendment No. 18 by Wohlgemuth to CSHB 2292 by adding the following appropriately numbered items to the amendment:

(\_\_\_) On page 14, line 1, strike "Subchapter K" and substitute "Subchapters K, L, and M".

(\_\_\_) On page 17, between lines 18 and 19, insert the following:

SUBCHAPTER L. COUNCIL FOR THE BLIND, DEAF, AND HARD OF HEARING

Sec. 531.421. DEFINITION. In this subchapter, "council" means the Council for the Blind, Deaf, and Hard of Hearing.

Sec. 531.422. COUNCIL FOR THE BLIND, DEAF, AND HARD OF HEARING. (a) The Council for the Blind, Deaf, and Hard of Hearing is created to advise the commissioner and the offices for the blind and for the deaf and hard of hearing regarding programs and services for those populations.

(b) The council is composed of nine members of the public appointed by the governor. To be eligible for appointment to the council, a person must have demonstrated an interest in and knowledge of problems and available services for persons who are blind, deaf, or hard of hearing.

(c) Chapter 551 applies to the council.

(d) Chapter 2110 does not apply to the council.

Sec. 531.423. APPOINTMENTS. (a) Appointments to the council shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(b) Appointments to the council shall be made so that each geographic area of the state is represented on the council.

Sec. 531.424. TRAINING PROGRAM FOR COUNCIL MEMBERS. (a) A person who is appointed as a member of the council may not vote, deliberate, or be counted as a member in attendance at a meeting of the council until the person completes a training program that complies with this section.

(b) The training program must provide the person with information regarding:

(1) the legislation that created the commission and the council;

(2) the programs operated by the commission;

(3) the role and functions of the commission and the council, including detailed information regarding the advisory responsibilities of the council;

(4) the rules of the commissioner applicable to the commission, with an emphasis on the rules that relate to disciplinary and investigatory authority;

(5) the current budget for the commission;

(6) the results of the most recent formal audit of the commission;

(7) the requirements of:

(A) the open meetings law, Chapter 551;

(B) the public information law, Chapter 552;

(C) the administrative procedure law, Chapter 2001; and

(D) other laws relating to public officials, including conflict-of-interest laws; and

(8) any applicable ethics policies adopted by the commissioner or the Texas Ethics Commission.

Sec. 531.425. TERMS. (a) Council members serve for staggered six-year terms with the terms of three members expiring February 1 of each odd-numbered year.

(b) A member of the council may not serve more than two consecutive full terms as a council member.

Sec. 531.426. VACANCY. The governor by appointment shall fill the unexpired term of a vacancy on the council.

Sec. 531.427. PRESIDING OFFICER; OTHER OFFICERS; MEETINGS.

(a) The governor shall designate a member of the council as the presiding officer to serve in that capacity at the pleasure of the governor.

(b) The members of the council shall elect any other necessary officers.

(c) The council shall meet quarterly and at other times at the call of the presiding officer. The council may hold meetings in different areas of the state.

Sec. 531.428. REIMBURSEMENT FOR EXPENSES. A council member may not receive compensation for service as a member of the council but is entitled to reimbursement for travel expenses incurred by

the member while conducting the business of the council as provided by the General Appropriations Act.

Sec. 531.429. PUBLIC INTEREST INFORMATION AND COMPLAINTS.

(a) The commissioner, with the advice of the council, shall prepare information of public interest describing the functions of the commission and the procedures by which complaints are filed with and resolved by the commission. The commission shall make the information available to the public and appropriate state governmental entities.

(b) The commissioner by rule shall establish methods by which consumers and service recipients are notified of the name, mailing address, and telephone number of the commission for directing complaints to the commission.

Sec. 531.430. PUBLIC ACCESS AND TESTIMONY. The commissioner shall develop and implement policies that provide the public with a reasonable opportunity to appear before the council or commissioner and to speak on any issue under the jurisdiction of the commission.

Sec. 531.431. POLICYMAKING AND MANAGEMENT RESPONSIBILITIES. The commissioner, with the advice of the council, shall develop and the commission shall implement policies that clearly delineate the policymaking responsibilities of the commissioner from the management responsibilities of the commission and the staff of the commission.

SUBCHAPTER M. REHABILITATION COUNCIL

Sec. 531.441. DEFINITION. In this subchapter, "council" means the Rehabilitation Council.

Sec. 531.442. REHABILITATION COUNCIL. (a) The Rehabilitation Council is created to advise the commissioner and the office of rehabilitation services regarding programs and services for persons with disabilities other than developmental delay and mental retardation.

(b) The council is composed of nine members of the public appointed by the governor. To be eligible for appointment to the council, a person must have demonstrated an interest in and knowledge of problems and available services related to the child health plan program, the financial assistance program under Chapter

31, Human Resources Code, the medical assistance program under Chapter 32, Human Resources Code, or the nutritional assistance programs under Chapter 33, Human Resources Code.

(c) Chapter 551 applies to the council.

(d) Chapter 2110 does not apply to the council.

Sec. 531.443. APPOINTMENTS. (a) Appointments to the council shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(b) Appointments to the council shall be made so that each geographic area of the state is represented on the council.

Sec. 531.444. TRAINING PROGRAM FOR COUNCIL MEMBERS. (a) A person who is appointed as a member of the council may not vote, deliberate, or be counted as a member in attendance at a meeting of the council until the person completes a training program that complies with this section.

(b) The training program must provide the person with information regarding:

(1) the legislation that created the commission and the council;

(2) the programs operated by the commission;

(3) the role and functions of the commission and the council, including detailed information regarding the advisory responsibilities of the council;

(4) the rules of the commissioner applicable to the commission, with an emphasis on the rules that relate to disciplinary and investigatory authority;

(5) the current budget for the commission;

(6) the results of the most recent formal audit of the commission;

(7) the requirements of:

(A) the open meetings law, Chapter 551;

(B) the public information law, Chapter 552;

(C) the administrative procedure law, Chapter 2001; and

(D) other laws relating to public officials, including conflict-of-interest laws; and

(8) any applicable ethics policies adopted by the

commissioner or the Texas Ethics Commission.

Sec. 531.445. TERMS. (a) Council members serve for staggered six-year terms with the terms of three members expiring February 1 of each odd-numbered year.

(b) A member of the council may not serve more than two consecutive full terms as a council member.

Sec. 531.446. VACANCY. The governor by appointment shall fill the unexpired term of a vacancy on the council.

Sec. 531.447. PRESIDING OFFICER; OTHER OFFICERS; MEETINGS.

(a) The governor shall designate a member of the council as the presiding officer to serve in that capacity at the pleasure of the governor.

(b) The members of the council shall elect any other necessary officers.

(c) The council shall meet quarterly and at other times at the call of the presiding officer. The council may hold meetings in different areas of the state.

Sec. 531.448. REIMBURSEMENT FOR EXPENSES. A council member may not receive compensation for service as a member of the council but is entitled to reimbursement for travel expenses incurred by the member while conducting the business of the council as provided by the General Appropriations Act.

Sec. 531.449. PUBLIC INTEREST INFORMATION AND COMPLAINTS.

(a) The commissioner, with the advice of the council, shall prepare information of public interest describing the functions of the commission and the procedures by which complaints are filed with and resolved by the commission. The commission shall make the information available to the public and appropriate state governmental entities.

(b) The commissioner by rule shall establish methods by which consumers and service recipients are notified of the name, mailing address, and telephone number of the commission for directing complaints to the commission.

Sec. 531.450. PUBLIC ACCESS AND TESTIMONY. The commissioner shall develop and implement policies that provide the public with a reasonable opportunity to appear before the council or commissioner and to speak on any issue under the jurisdiction of the commission.

Sec. 531.451. POLICYMAKING AND MANAGEMENT RESPONSIBILITIES.

The commissioner, with the advice of the council, shall develop and the commission shall implement policies that clearly delineate the policymaking responsibilities of the commissioner from the management responsibilities of the commission and the staff of the commission.