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### No.50 An Order Amending Governor Blanton's Executive Order No. 28 Relative To The Tennessee Council On Developmental Disabilities

Bill Haslam

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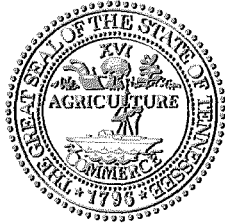
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STATE OF TENNESSEE

# EXECUTIVE ORDER

BY THE GOVERNOR

No. 50

## **AN ORDER AMENDING GOVERNOR BLANTON'S EXECUTIVE ORDER NO. 28 RELATIVE TO THE TENNESSEE COUNCIL ON DEVELOPMENTAL DISABILITIES**

**WHEREAS**, the State Planning and Advisory Council, was established by Governor Ray Blanton's Executive Order No. 28, dated September 18, 1975, in accordance with the Developmental Disabilities Services and Facilities Construction Amendments of 1970, Public Law 91-517, and Developmentally Disabled Assistance and Bill of Rights Act of 1975, Public Law 94-10, for the purpose of supporting and advocating for Tennesseans with developmental disabilities; and

**WHEREAS**, those previous acts were amended by the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402 (the "Act"), which continues to provide for a State Council on Developmental Disabilities that receives assistance under the Act and represents the interests of the State and the citizens of Tennessee; and

**WHEREAS**, the State Planning and Advisory Council has become known as the Tennessee Council on Developmental Disabilities; and

**WHEREAS**, aligning the efforts of State departments and agencies, in addition to community and other organizations, is critical to ensuring that Tennesseans with developmental disabilities and their families are represented in an efficient and effective manner.

**NOW, THEREFORE**, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby order and direct the following:


1. The Tennessee Council on Developmental Disabilities (the "Council") shall be the "designated state agency" in accordance with the Act. The Council shall fulfill all responsibilities in accordance with the Act, including developing and implementing

the State Plan and undertaking advocacy, capacity building, and systemic change activities in Tennessee.

2. The Council shall be independent from association with a state agency that provides or oversees services to people with disabilities and shall be located in an independent budget code.
3. Members of the Council shall be appointed by the Governor in accordance with the composition requirements of the Act, as it may be amended from time to time, provided, however, that the members serving on the Council as of the date of this Executive Order No. 50 shall serve the remainder of their terms. The following State departments and agencies shall be represented on the Council, either by the Commissioner or designee:
  - a. Department of Education;
  - b. Department of Health's Division of Maternal and Child Health;
  - c. Department of Human Services' Division of Vocational Rehabilitation Services;
  - d. Department of Intellectual and Developmental Disabilities;
  - e. Department of Mental Health and Substance Abuse Services;
  - f. Bureau of TennCare;
  - g. Commission on Aging and Disability;
  - h. Commission on Children and Youth; and
  - i. Tennessee Housing Development Agency.
4. In making individual appointments, the Governor may consider recommendations from organizations representing a broad range of individuals with developmental disabilities and persons interested in individuals with developmental disabilities, including the non-State agency members of the Council. The Council may coordinate input regarding all recommendations.
5. Members shall be appointed by the Governor for a term of three years and may be reappointed for a second term. Members shall serve until such member's successor is appointed. Commissioners, or their designee, shall serve ex officio. In the event of a vacancy that occurs due to death, resignation, or for any other reason, the Governor shall appoint a replacement to fill the unexpired term.
6. The Council shall hire and maintain an Executive Director responsible for assisting the Council in carrying its duties under the Act.

7. Notwithstanding the terms of this Executive Order No. 50, the Council shall operate in accordance with the Act, as it may be amended from time to time, any subsequent reauthorizations, and any regulations pursuant to the Act. To the extent that their terms are inconsistent with the terms of this Executive Order No. 50, all previous executive orders are hereby repealed.
8. This Executive Order No. 50 shall be effective October 1, 2015.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 28th day of September, 2015.

  
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GOVERNOR

ATTEST:

  
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SECRETARY OF STATE



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