



**Senate Fiscal Agency**  
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**BILL ANALYSIS**

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Senate Bill 257 (Substitute S-3)  
Sponsor: Senator Ian Conyers  
Committee: Outdoor Recreation and Tourism

Date Completed: 3-7-18

### **CONTENT**

**The bill would enact the "Athletes with Intellectual and Developmental Disabilities Empowerment Commission Act" to do the following:**

- **Create the Athletes with Intellectual and Developmental Disabilities Empowerment Commission within the Department of Health and Human Services (DHHS).**
- **Provide for the appointment of members to the Commission, and its procedures.**
- **Specify the Commission's responsibilities, such as promoting recreational opportunities and athletic competitions for athletes with an intellectual or developmental disability, and educating the general public on the benefits of athletics for people with disabilities.**
- **Establish the "Athletes with Intellectual and Developmental Disabilities Empowerment Fund".**
- **Require the DHHS to spend Fund money, upon appropriation, only for certain purposes, including to provide funding for training athletes with an intellectual or developmental disability.**

### **Empowerment Commission**

The Athletes with Intellectual and Developmental Disabilities Commission would consist of the following members:

- The Lieutenant Governor, as an ex officio, nonvoting member.
- Two athletes with an intellectual or developmental disability appointed by the DHHS Director.
- Two former athletes with an intellectual or developmental disability who were serving as mentors to active athletes with an intellectual or developmental disability, appointed by the DHHS Director.
- Two individuals appointed by the Governor, one of whom would have to be a representative of Special Olympics Michigan.
- An individual appointed by the Senate Majority Leader.
- An individual appointed by the Senate Minority Leader.
- An individual appointed by the Speaker of the House.
- An individual appointed by the House Minority Leader.
- Two individuals from the State's public universities, appointed by the Governor.

The members first appointed to the Commission would have to be appointed within 60 days after the bill's effective date. Commission members would serve for four years or until a successor was appointed, whichever was later, except that of the members first appointed,

three would serve for one year, three for two years, and three for three years. A vacancy would have to be filled for the unexpired term in the same manner as the original appointment. The Governor could remove a member for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause.

The Lieutenant Governor would have to call the first meeting of the Commission. At that meeting, the Commission would have to elect a chairperson and other officers as it considered necessary or appropriate. The Commission then would have to meet at least quarterly, or more frequently at the call of the chairperson or if requested by six or more voting members.

A majority of the Commission's membership would constitute a quorum for the transaction of business. A majority of those present and serving would be required for official action. The Commission would be subject to the Open Meetings Act and the Freedom of Information Act.

Commission members would have to serve without compensation; however, members could be reimbursed for their actual and necessary expenses incurred in the performance of their official duties.

The Commission would have to do all of the following:

- Promote and raise awareness of recreational opportunities and athletic competitions for athletes with an intellectual or developmental disability.
- Educate the general public on the benefits of athletics for people with intellectual or developmental disabilities.
- Provide funding to identify and develop training programs for athletes with an intellectual or developmental disability.
- Take measures to increase the participation of athletes with an intellectual or developmental disability in medical and sports programs at the State's public universities.
- Investigate opportunities to attract to the State events and championships for athletes with an intellectual or developmental disability.

#### Empowerment Fund

The bill would create the Athletes with Intellectual and Developmental Disabilities Empowerment Commission Fund within the State Treasury. The State Treasurer could receive money or other assets from any source for deposit in the Fund. The Treasurer would have to direct the investment of the Fund and credit to it interest and earnings from Fund investments. Money in the Fund at the close of the fiscal year would remain in the Fund and would not lapse to the General Fund. The DHHS would be the administrator of the proposed Fund for auditing purposes.

The Department would have to spend Fund money, upon appropriation, only for one or more of the following purposes:

- To provide funding for training athletes with an intellectual or developmental disability.
- To promote and identify opportunities for athletes with an intellectual or developmental disability to participate in athletic events and competitions.
- To provide educational materials on the benefits of participating in athletic events and competition for athletes with an intellectual or developmental disability.
- To provide funding to evaluate individuals for placement on the intellectual or developmental disability spectrum.

Legislative Analyst: Jeff Mann

## **FISCAL IMPACT**

The bill would have a small negative fiscal impact on the State and no fiscal impact on local units of government. Members of the proposed Commission would serve without compensation, but could be reimbursed for their actual and necessary expenses. The costs would depend on the actual reimbursements requested by Commission members for expenses, but could be paid for out of existing Department of Health and Human Services appropriations.

The Department of Treasury would experience a minor increase in costs in order to administer the Athletes with Intellectual and Developmental Disabilities Empowerment Fund. The cost to administer the Fund would be less than \$10,000 and could be paid for out of existing Department of Treasury appropriations.

Fiscal Analyst: Ellyn Ackerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.