

**SUBSTITUTE FOR
SENATE BILL NO. 257**

A bill to create an athletes with intellectual and developmental disabilities empowerment commission; and to prescribe the powers and duties of certain state agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "athletes with intellectual and developmental disabilities
3 empowerment commission act".

4 Sec. 2. As used in this act:

5 (a) "Commission" means the athletes with intellectual and
6 developmental disabilities empowerment commission created in
7 section 3.

8 (b) "Department" means the department of health and human

1 services.

2 (c) "Fund" means the athletes with intellectual and
3 developmental disabilities empowerment fund created in section 4.

4 Sec. 3. (1) The athletes with intellectual and developmental
5 disabilities empowerment commission is created within the
6 department.

7 (2) The commission consists of the following members:

8 (a) The lieutenant governor as an ex officio, nonvoting
9 member.

10 (b) Two athletes with an intellectual or developmental
11 disability appointed by the director of the department.

12 (c) Two former athletes with an intellectual or developmental
13 disability who are serving as mentors to active athletes with an
14 intellectual or developmental disability, appointed by the director
15 of the department.

16 (d) Two individuals appointed by the governor, 1 of whom is a
17 representative of Special Olympics Michigan.

18 (e) An individual appointed by the senate majority leader.

19 (f) An individual appointed by the senate minority leader.

20 (g) An individual appointed by the speaker of the house.

21 (h) An individual appointed by the house minority leader.

22 (i) Two individuals from public universities in this state
23 appointed by the governor.

24 (3) The members first appointed to the commission shall be
25 appointed within 60 days after the effective date of this act.

26 (4) Members of the commission shall serve for terms of 4 years
27 or until a successor is appointed, whichever is later, except that

1 of the members first appointed 3 shall serve for 1 year, 3 shall
2 serve for 2 years, and 3 shall serve for 3 years.

3 (5) A vacancy on the commission shall be filled for the
4 unexpired term in the same manner as the original appointment.

5 (6) The governor may remove a member of the commission for
6 incompetence, dereliction of duty, malfeasance, misfeasance, or
7 nonfeasance in office, or any other good cause.

8 (7) The first meeting of the commission shall be called by the
9 lieutenant governor. At the first meeting, the commission shall
10 elect from among its members a chairperson and other officers as it
11 considers necessary or appropriate. After the first meeting, the
12 commission shall meet at least quarterly, or more frequently at the
13 call of the chairperson or if requested by 6 or more voting
14 members.

15 (8) A majority of the members of the commission constitute a
16 quorum for the transaction of business at a meeting of the
17 commission. A majority of the members present and serving are
18 required for official action of the commission.

19 (9) The business that the commission may perform shall be
20 conducted at a public meeting of the commission held in compliance
21 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

22 (10) A writing prepared, owned, used, in the possession of, or
23 retained by the commission in the performance of an official
24 function is subject to the freedom of information act, 1976 PA 442,
25 MCL 15.231 to 15.246.

26 (11) Members of the commission shall serve without
27 compensation. However, members of the commission may be reimbursed

1 for their actual and necessary expenses incurred in the performance
2 of their official duties as members of the commission.

3 (12) The commission shall do all of the following:

4 (a) Promote and raise awareness of recreational opportunities
5 and athletic competitions for athletes with an intellectual or
6 developmental disability.

7 (b) Educate the general public on the benefits of athletics
8 for people with intellectual or developmental disabilities.

9 (c) Provide funding to identify and develop training programs
10 for athletes with an intellectual or developmental disability.

11 (d) Take measures to increase the participation of athletes
12 with an intellectual or developmental disability in medical and
13 sports programs at public universities in this state.

14 (e) Investigate opportunities to attract events and
15 championships for athletes with an intellectual or developmental
16 disability to this state.

17 Sec. 4. (1) The athletes with intellectual and developmental
18 disabilities empowerment fund is created within the state treasury.

19 (2) The state treasurer may receive money or other assets from
20 any source for deposit into the fund. The state treasurer shall
21 direct the investment of the fund. The state treasurer shall credit
22 to the fund interest and earnings from fund investments.

23 (3) Money in the fund at the close of the fiscal year shall
24 remain in the fund and shall not lapse to the general fund.

25 (4) The department shall be the administrator of the fund for
26 auditing purposes.

1 (5) The department shall expend money from the fund, upon
2 appropriation, only for 1 or more of the following purposes:

3 (a) To provide funding for training of athletes with an
4 intellectual or developmental disability.

5 (b) To promote and identify opportunities for athletes with an
6 intellectual or developmental disability to participate in athletic
7 events and competitions.

8 (c) To provide educational materials on the benefits of
9 participation in athletic events and competitions for athletes with
10 an intellectual or developmental disability.

11 (d) To provide funding to evaluate individuals for placement
12 on the intellectual or developmental disability spectrum.