

# MONTGOMERY COUNTY COUNCIL CODES

## HUMAN RELATIONS AND CIVIL LIBERTIES

### ARTICLE VI. COMMISSION ON PEOPLE WITH DISABILITIES

#### **Sec. 27-50. Statement of policy.**

A Commission on People with Disabilities is necessary to advise the County government on the coordination and development of policies for people with disabilities. The County government adopts the policy that no qualified person with a disability should, on the basis of their disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity of the County government. The County government endorses Section 504 of the Rehabilitation Act of 1973 as amended, 29 U.S.C. 794, and agrees to comply with federal regulations implementing Section 504. (1979 L.M.C., ch. 4, § 2; FY 1991 L.M.C., ch. 6, § 2.)

#### **Sec. 27-51. Commission-Composition and appointments; meetings; staff.**

(a) *Composition and appointment.* There is a Commission on People with Disabilities. The Commission has 25 voting members, and at least 5 nonvoting members, including:

- (1) 13 voting members who are people with a disability;
- (2) 3 voting members who are parents of people with disabilities;
- (3) 9 voting members who represent organizations and agencies that provide services or represent people with disabilities;
- (4) one nonvoting member from the:
  - (A) Department of Recreation;
  - (B) Department of Public Works and Transportation; and
  - (C) Human Relations Commission; and
- (5) two nonvoting members from the Department of Health and Human Services.

The County Executive appoints Commission members. The County Executive appoints voting members subject to confirmation by the County Council. The County Executive may appoint additional nonvoting members from other governmental agencies. All appointments are for a 3-year term beginning October 1, except appointments to fill unexpired terms. If a vacancy occurs on the Commission, the County Executive should appoint a successor to complete the unexpired term within 60 days of the occurrence of the vacancy. After receiving recommendations of Commission members, the County Executive must appoint

the chairperson and vice chairperson of the Commission, subject to confirmation by the County Council.

(b) *Compensation*. Members of the Commission receive no compensation for their services.

(c) *Meetings*. The Commission meets on the call of the chairperson as frequently as required to perform its duties, but not less than 6 times each year.

(d) *Staff support*. The Department of Health and Human Services must provide the staff support necessary for the Commission to perform its duties. (1979 L.M.C., ch. 4, § 2; 1979 L.M.C., ch. 20, § 2; FY 1991 L.M.C., ch. 6, § 2; 1995 L.M.C., ch. 13, § 1; 1996 L.M.C., ch. 4, § 1.)

**Editor's note**-Section 5 of 1995 L.M.C., ch. 13, reads as follows: "Sec. 5. A regulation that implements a function assigned to the Department of Health and Human Services by 1995 LMC ch. 13 continues in effect but is amended to the extent necessary to provide that the regulation is administered by the Director of the Department of Health and Human Services."

### **Sec. 27-52. Duties.**

The Commission has the following duties:

- (a) review programs and services for people with disabilities, including identifying unmet needs and gaps in services;
- (b) identify, analyze, and evaluate barriers to programs and services for people with disabilities;
- (c) review reports and publications of government agencies providing services to people with disabilities;
- (d) review federal, state and local legislation that concerns or would affect people with disabilities;
- (e) study ways to maximize the use of facilities and services available to people with disabilities;
- (f) conduct open meetings to provide direct communication among people with disabilities, private and public organizations, and the general public regarding programs and services for people with disabilities;
- (g) initiate conferences of interagency planning group and create special task forces to identify and assess needs and promote the coordination of services among public and private agencies, departments, and organizations that provide services and programs for people with disabilities;
- (h) identify and recommend to the County Executive and the County Council appropriate sources of state and federal funding for services and programs for people with disabilities;

- (i) make recommendations for procedures, programs, and legislation to promote the well-being of people with disabilities;
- (j) submit an annual report by November 1 each year to the County Council and the County Executive that includes:
  - (1) the status of services and programs for people with disabilities in the County;
  - (2) recommendations for the more effective delivery of services and programs to people with disabilities; and
  - (3) annual budget and policy priorities for delivery of services to people with disabilities;
- (k) advise the Department of Health and Human Services in carrying out the duties and responsibilities imposed by federal laws affecting people with disabilities; and
- (l) make recommendations to the Department of Health and Human Services about the County's contribution to programs and services for people with disabilities. (1979 L.M.C., ch. 4, § 2; 1979 L.M.C., ch. 20, § 3; FY 1991 L.M.C., ch. 6, § 2; 1995 L.M.C., ch. 13, § 1.)

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