

LAWS OF DELAWARE
VOLUME 83
CHAPTER 313
151st GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 363

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COUNCIL ON SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Amend § 7915, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7915. Council on Services for Aging and Adults with Physical Disabilities.

(a) There is established the Council on Services for Aging and Adults with Physical Disabilities.

(b) The Council on Services for Aging and Adults with Physical Disabilities (the Council) ~~shall serve~~ serves in an advisory capacity to the Director of the Division of Services for ~~the~~ Aging and Adults with Physical Disabilities and ~~shall consider~~ considers matters relating to the formation of local community councils for ~~the~~ aging persons and for adults with physical disabilities, ~~programs~~ programs, and projects in this State to benefit ~~the~~ aging persons and adults with physical disabilities and ~~such~~ other matters as may be referred to it by the Governor, the Secretary of the ~~Department~~ Department, or the ~~Director of the Division of Services for the Aging and Adults with Physical Disabilities.~~ Director. The Council may study, research, ~~plan and~~ plan, or advise the Director, the ~~Secretary and~~ Secretary, or the Governor on matters it deems appropriate to enable the Division to function in the best possible manner.

(c) The Council on Services for Aging and Adults with Physical Disabilities ~~shall be~~ is composed of 15 members. ~~Members shall be appointed by the~~ The Governor shall appoint members for terms of up to 3 years. ~~The Members' terms of the Council members shall~~ must be staggered ~~in such a manner~~ so that the terms of no more than 7 members expire in 1 year. The Council ~~shall consist~~ consists of the following:

(1) Three members, each being a resident from a different county in this State and an aging or elderly person or a caregiver of an aging or elderly person as defined in § 7920 of this title.

(2) ~~Four~~ Three members, each being from a public or nonprofit agency that provides services to aging persons.

(3) Three members, each being a resident from a different county in this State and an adult with a physical disability or a caregiver of an adult with a physical disability as defined in § 7920 of this title.

(4) ~~Four~~ Three members, each being from a public or nonprofit agency that provides services to persons with physical disabilities.

(5) One member who represents veterans' issues.

(6) Two members, each being from a public or nonprofit agency that provides services to alleged victims as defined in § 3902 of Title 31.

(d) The Council membership ~~shall~~ must be composed of representatives in the following areas: aging persons, representatives of public ~~and/or~~ or nonprofit agencies that serve aging persons, persons with a physical disability, low income ~~elder~~ aging persons, low income persons with a physical disability, minority ~~elder~~ aging persons, minority persons with a physical disability, veterans' affairs, representatives of public or nonprofit agencies that provide services to alleged victims as defined in § 3902 of Title 31, and representatives of public ~~and/or~~ or nonprofit agencies that serve adults with physical disabilities. Each Council member ~~can be representative of~~ may represent more than 1 area, but ~~no Council member shall be representative of more~~ a member may not represent more than 3 areas.

(e) ~~Members of the Council shall serve~~ A Council member serves without compensation, except ~~that they may be reimbursed for reimbursement~~ for reasonable and necessary expenses incident to ~~their~~ duties as ~~members~~ a member of the Council.

(f) ~~A Chairperson of the Council shall be elected annually by the members of the Council~~ Council members shall elect a chair for a 2-year term from among its members, ~~except that the office shall rotate between representatives~~ with the chair alternating each term between a representative of the aging community and ~~representatives~~ a representative of adults with physical disabilities. ~~In its first year of operation, the Council shall be chaired by a representative of the aging community. In its second year of operation, the Council shall be chaired by a representative of adults with physical disabilities. Thereafter, the~~

~~chairperson shall alternate and shall serve a 2-year term. A chairperson shall be eligible to~~ A chair may serve 2 nonconsecutive terms.

(g) ~~Any replacement~~ An appointment to the Council to fill a vacancy prior to the expiration of a term shall ~~be filled for~~ fill the remainder of the term.

(h) ~~Members who are~~ The Council chair shall discharge a member who is absent from more than 3 consecutive meetings, unless excused by the ~~Council, shall be discharged from the Council by the Council Chairperson~~ Council.

(i) The Council may establish subcommittees and make appointments to ~~any such~~ the subcommittees with the approval of all members of the Council.

(j) A quorum of the Council ~~consists of~~ is a majority of the council members.

(k) ~~All decisions made by the~~ A Council decision relative to policy and budget shall ~~shall~~ must be made by a majority of the members present at a meeting with that has a quorum. ~~Staff assistance shall be given to the Council and any subcommittees. The~~ Division of Services for Aging and Adults with Physical Disabilities shall provide staff assistance to Council and Council's subcommittees.

Approved June 14, 2022