

# MICROFILM DIVIDER

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ROLL NUMBER

DESCRIPTION

1347

2007 HOUSE HUMAN SERVICES

HB 1347

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1347

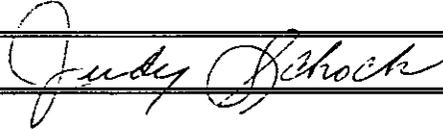
House Human Services Committee

Check here for Conference Committee

Hearing Date: January 24, 2007

Recorder Job Number: 1756

Committee Clerk Signature



Minutes:

**Chairman Price:** Opening the hearing on HB 1347.

**Representative Uglem.District 19 rural Grand Forks County:** See attached testimony.

We did have discussion concerning who the rest of the committee would like to see. The Governor would not have as much access. Judy Lee concern we might try to find a representative of returning veteran from Iraq. We should give the committee option of who they would like with them, would be a nice way of doing it.

**David Boeck,** I work for the protection and advocacy: Federal law restricts who can be on the board, they restrict the Governor.

**Chairman Price:** any one else in favor? Anyone in opposition? If not we will close the hearing on HB 1347.

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1347

House Human Services Committee

Check here for Conference Committee

Hearing Date: January 24, 2007

Recorder Job Number: 1856

Committee Clerk Signature

*Judy Schock*

Minutes:

**Chairman Price:** Take out HB 1347.

**Representative Kaldor:** I make a motion for a do pass. **Representative Potter** seconds the motion. The vote is 10 yeas, 0 nays and 2 absent. **Representative Uglem** will carry to the floor.



**REPORT OF STANDING COMMITTEE (410)**  
January 25, 2007 8:18 a.m.

**Module No: HR-17-1180**  
**Carrier: Uglem**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1347: Human Services Committee (Rep. Price, Chairman) recommends DO PASS**  
(10 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1347 was placed on the  
Eleventh order on the calendar.

2007 SENATE HUMAN SERVICES

HB 1347

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1347

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 2-21-07

Recorder Job Number: 3583, 3594

Committee Clerk Signature

*Mary K Monson*

Minutes:

Chairman Senator J. Lee opened the hearing on HB 1347 relating to appointment of a member of the committee on protection and advocacy by a North Dakota nonprofit advocacy group of people with disabilities, to update the name of another appointing group, and to stagger the terms of the members.

Senator J. Lee (District #13) introduced HB 1347. She is on the Board of Protection and Advocacy. One of the entities which statutes call for having a member on the P & A Board is no longer a functioning group so they are looking at an alternative way of including another individual on the board that would represent folks with disabilities but not be the specific group currently named.

Representative Gerry Uglem (District 19) testified in support of HB 1347 and explained the bill.

(Attachment #1)

David Boeck (Protection and Advocacy Project) was present to answer questions from the committee.

Senator J. Lee explained that People First was an active statewide organization at the time the law was put into place. It is no longer a functioning entity in the same sense that it was before.

One of the things discussed at a recent board meeting is the number of veterans returning with disabilities. That would be an example of an entity the board might like represented.

Senator Dever said, looking at 3d, the wording seem awkward to him.

Senator J. Lee said the idea is that the Board of P & A would determine which group would select and then the governing board of the group selected would choose the committee member.

Senator Dever asked how many non –profit advocacy groups there are.

Mr. Boeck replied that there are quite a few. He didn't have a count.

Senator Warner asked why the code is so specific

Senator J. Lee answered that when it was first put into place, it was all very specific.

Senator Warner asked if there would be any purpose in having the governor making a decision as to which non profit would be appointed.

Mr. Boeck responded that federal law allows the governor to appoint up to 1/3 of the members.

He's at that ceiling right now.

Senator Warner asked if P & A funding is largely federal.

Mr. Boeck said a substantial amount of money comes from the federal government. There are several specific categories at P & A. There is also a general fund appropriation.

Senator J. Lee said there are seven people on the board. Two from the governor, two from the legislative council, one from ARC, one from the mental health association, and the one they are talking about.

(Meter 10:30) There was discussion on the language and which group would be making the appointment. Previously, the legislature decided. The legislature could name another group or could leave it as the bill is drafted so as times change and new issues present themselves

the committee would be able to select a group that would add representation relative to current issues.

Mr. Boeck said he thought the board would anticipate adopting rules to govern what sorts of consideration they take into line when they are appointing someone.

Senator Dever asked if that seat is currently occupied by somebody appointed by People First.

Senator J. Lee said, yes, but the group is now not functioning.

Mr. Boeck said the committee on P & A spent a lot of time trying to find an obvious group to put in this place and they didn't come up with one.

Senator J. Lee said they were hoping that the Adjutant General could help them but they don't have an advocacy group for disabled veterans that would be within the guard. That would be an ideal set up for what they are looking to do.

(Meter 16:30) There was discussion on veteran's organizations.

(Meter 18:00) Discussion followed on other potential disability groups that should have an interest in it. They also discussed those already on the committee.

There was no opposing or neutral testimony.

The hearing on HB 1347 was closed.

**Job #3594**

Chairman Senator J. Lee asked the committee what their wishes were.

Senator Pomeroy made a motion for a Do Pass on HB 1347.

Second by Senator Heckaman.

Roll call vote 6-0-0. Carrier is Senator Heckaman.



**REPORT OF STANDING COMMITTEE**

**HB 1347: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1347 was placed on the  
Fourteenth order on the calendar.

2007 TESTIMONY

HB 1347

House Human Services Committee  
Sixtieth Legislative Assembly of North Dakota  
House Bill No. 1347  
January 24, 2007

Good morning, Chairman Price and fellow Members of the House Human Services Committee. For the record, I am Gerry Uglem, Representative for District 19. I am a Legislative Council appointee to the Committee on Protection & Advocacy, which advocates on behalf of people with disabilities.

Senator Judy Lee of District 13 is the other Legislative Council appointee to the Committee on Protection & Advocacy. Senator Judy Lee and I are co-sponsors of HB 1347, which are technical amendments to the P&A statutes.

The Committee includes members appointed by the Legislative Council (2), the Governor (2), the Mental Health Association in North Dakota (1), the Arc of North Dakota (1), and People First of North Dakota, Inc. (1).

The bill would repeal People First of North Dakota's authority to appoint a member to the Committee on Protection & Advocacy. People First of North Dakota no longer functions as a statewide organization and is no longer suitable to appoint a member to the Committee.

In its place, the Committee will select a nonprofit advocacy group for people with disabilities to appoint one Committee member. The Committee will select a nonprofit advocacy group for people with disabilities each time

the position becomes vacant. This will give the Committee flexibility to change membership, when desirable, to emphasize current issues.

HB 1347 also would stagger the terms of Committee members. At present, too many terms expire at the same time.

Thank you for the opportunity to testify in favor of this legislation. Please let me know if you have questions.

Chairman Lee, Committee Members

I am Rep Gerry Uglem from district 19 (rural Grand Forks County)

House bill 1347 allows for appointment of a board member to the Committee on Protection and Advocacy, this committee advocates on behalf of people with disabilities.

Senator Judy Lee and I are legislative council appointee's, the governor appoints 2 members, the Mental Health Association of ND 1 member, the Arc of ND 1 member, and People First of ND 1 member.

This bill repeals People First of ND's authority to appoint a member. People First of ND no longer functions as a statewide organization and is no longer suitable to appoint a member to the committee.

In its place, the committee will select a nonprofit advocacy group for people with disabilities to appoint one committee member. The committee will select a nonprofit advocacy group for people with disabilities each time the position becomes vacant. This will give the Committee flexibility to change membership, when desirable, to emphasize current issues.

HB 1347 also would stagger the terms of committee members. At present, too many terms expire at the same time.

Thank you chairman Lee.