

Sixty-third  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2271**

Introduced by

Senators Axness, Heckaman, Wanzek

Representatives Mooney, Silbernagel, Steiner

1 A BILL for an Act to amend and reenact subsection 5 of section 39-01-15 and section  
2 50-06.1-16 of the North Dakota Century Code, relating to the committee on employment of  
3 people with disabilities.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 39-01-15 of the North Dakota Century  
6 Code is amended and reenacted as follows:

7 5. Except as provided in this subsection, two dollars of each fee for issuance of a  
8 certificate and one dollar of each fee for issuance of an additional certificate under this  
9 section must be deposited in the state highway department fund for purposes of  
10 defraying the cost of issuing the certificate. The rest of the fee, and the five dollar fee  
11 received for the issuance of an additional certificate under subsection 4, must be  
12 deposited in the state treasury and credited to the employment of people with  
13 disabilities fund. The fees deposited in the fund are hereby appropriated on a  
14 continuing basis to the department of human services for use by the committee on  
15 employment of people with disabilities of the department of human services for  
16 development of job opportunities for disabled individuals in this state to accomplish the  
17 committee's statutory duties provided under section 50-06.1-16. If a certificate is lost,  
18 mutilated, or destroyed, the person to whom the certificate was issued is entitled to a  
19 replacement. The person shall furnish proof satisfactory to the director that the  
20 certificate has been lost, mutilated, or destroyed, and shall pay a replacement fee of  
21 three dollars.

22 **SECTION 2. AMENDMENT.** Section 50-06.1-16 of the North Dakota Century Code is  
23 amended and reenacted as follows:

1           **50-06.1-16. Committee on employment of people with disabilities - Appointment -**  
2 **Expenses - Director - Duties - Annual report.**

3           1. There is established a committee on employment of people with disabilities. The-  
4 committee consists of three members.

5           a. The governor shall appoint each member for a term four members of the public to  
6 serve as committee members with terms of three years, staggered so that the  
7 term terms of one member expires at least one but no more than two members  
8 expire July first of each year;

9           (1) One community rehabilitation provider;

10          (2) One community employer representative;

11          (3) One individual with a disability; and

12          (4) One family member of an individual with a disability.

13          b. The following five individuals shall serve on the committee as ex officio members:

14          (1) The director of the department of commerce division of workforce  
15 development, or the director's designee;

16          (2) The director of the department of human services division of vocational  
17 rehabilitation, or the director's designee;

18          (3) The superintendent of public instruction's director of special education, or  
19 the director's designee;

20          (4) The director of the protection and advocacy project, or the director's  
21 designee; and

22          (5) The head of the department of human services developmental disabilities  
23 programs, as identified by the executive director of the department of  
24 human services.

25          c. A vacancy occurring other than by reason of the expiration of a term must be  
26 filled in the same manner as original appointments, except that the appointment  
27 may be made for only the remainder of the unexpired term.

28          2. The public members of the committee are entitled to be paid for mileage and actual  
29 expenses incurred in attending meetings and in performance of their official duties in  
30 amounts provided by law for other state officers and employees.

- 1       3. The goal of the committee is to remove barriers in reaching and identify how to further  
2       the goal of public and private employers considering competitive and integrated  
3       employment as the first option when supporting individuals with disabilities who are of  
4       working age to obtain employment. As used in this section:
- 5       a. "Competitive employment" means work in the competitive labor market which is  
6       performed on a full-time or part-time basis in an integrated setting, and for which  
7       an individual is compensated at or above the minimum wage, but not less than  
8       the customary wage and level of benefits paid by the employer for the same or  
9       similar work performed by an individual who does not have a disability.
- 10      b. "Integrated setting" means with respect to an employment outcome, a setting  
11      typically found in the community in which applicants or eligible individuals interact  
12      with individuals who do not have a disability, other than individuals who do not  
13      have a disability who are providing services to those applicants or eligible  
14      individuals, to the same extent that individuals without a disability in comparable  
15      positions interact with others.
- 16      4. ~~The committee, with:~~
- 17      a. ~~With the approval of the governor, shall~~may appoint a full-time director to serve at  
18      the pleasure of the governor. For administrative purposes, ~~the~~a director  
19      appointed under this subdivision is an unclassified employee of the department of  
20      human services and is not included in the classified service. ~~The committee shall~~  
21      ~~coordinate activities and serve as a clearinghouse for information relating to the~~  
22      ~~employment of people with disabilities. The committee shall prepare for and~~  
23      ~~perform followup duties in connection with state, regional, and national~~  
24      ~~conferences, encourage interest, participation, and cooperation with state~~  
25      ~~departments, agencies, and other organizations in developing needed services,~~  
26      ~~facilities, and opportunities, and provide consultant help to local organizations~~  
27      ~~created for the purpose of coordinating activities for the employment of people~~  
28      ~~with disabilities.~~
- 29      b. At the call of the chairman, shall meet at least quarterly.
- 30      c. Shall collaborate, coordinate, and improve employment outcomes for  
31      working-age adults with disabilities, including:

- 1           (1) Reviewing and aligning policies, procedures, eligibility, and enrollment and  
2           planning for services for individuals, with the objective of increasing  
3           opportunities for community employment for North Dakotans with  
4           disabilities.
- 5           (2) Developing cross-agency tools to document eligibility, order of selection,  
6           assessment, and planning for services for individuals with disabilities.
- 7           (3) Identifying best practices, effective partnerships, sources of available  
8           federal funds, opportunities for shared services among existing providers,  
9           and means to expand model programs to increase community employment  
10          opportunities for individuals with disabilities.
- 11          (4) Identifying and addressing areas where sufficient support is not currently  
12          available or where additional options are needed to assist individuals with  
13          disabilities to work in competitive employment in integrated settings.
- 14          (5) Establishing interagency agreements to improve coordination of services  
15          and allow for data sharing as appropriate to assist individuals with  
16          disabilities.
- 17          (6) Setting benchmarks for improving community employment outcomes and  
18          services for individuals with disabilities.
- 19          d. Before January first of each year, shall issue an annual report. The committee  
20          shall submit the annual report to the governor and the legislative management.  
21          The report must detail the committee's activities, the committee's goals, and the  
22          progress the committee has made in reaching these goals. State agencies shall  
23          cooperate with the committee on the creation and dissemination of the annual  
24          report. The annual report must include identification of barriers to achieving the  
25          committee's goals and must include identified strategies and policies that can  
26          help the committee realize its goals.
- 27          5. The department of human services division of vocational rehabilitation shall provide  
28          the committee with administrative services.