

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.