

# House Bill 2053

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Human Services and Women's Wellness)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Commission for the Deaf and Hard of Hearing. Specifies membership, powers and duties of commission. Requires Director of Human Services to consult with commission regarding Oregon Deaf and Hard of Hearing Services Program and eliminates advisory committee that advises director regarding program.

Appropriates moneys from General Fund to commission.

## A BILL FOR AN ACT

1  
2 Relating to Commission for the Deaf and Hard of Hearing; creating new provisions; amending ORS  
3 185.225 and 410.740; and appropriating money.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) There is established the Commission for the Deaf and Hard of Hearing**  
6 **consisting of seven members appointed by the Governor and confirmed by the Senate in the**  
7 **manner prescribed in ORS 171.562 and 171.565.**

8 **(2) The term of office of each member is four years, but a member serves at the pleasure**  
9 **of the Governor. Before the expiration of the term of a member, the Governor shall appoint**  
10 **a successor whose term begins on January 1 next following. A member is eligible for reap-**  
11 **pointment. If there is a vacancy for any cause, the Governor shall make an appointment to**  
12 **become immediately effective for the unexpired term.**

13 **(3) At least four of the members must be deaf or hard of hearing.**

14 **(4) All of the members must be residents of this state and members shall be appointed**  
15 **from varying geographic regions of this state, to the extent possible.**

16 **SECTION 2. Notwithstanding the term of office specified by section 1 of this 2009 Act,**  
17 **of the members first appointed to the Commission for the Deaf and Hard of Hearing:**

18 **(1) One shall serve for a term ending January 1, 2012.**

19 **(2) Two shall serve for terms ending January 1, 2013.**

20 **(3) Two shall serve for terms ending January 1, 2014.**

21 **(4) Two shall serve for terms ending January 1, 2015.**

22 **SECTION 3. (1) The Commission for the Deaf and Hard of Hearing shall select one of its**  
23 **members as chairperson and another as vice chairperson, for such terms and with duties and**  
24 **powers necessary for the performance of the functions of such offices as the commission**  
25 **determines.**

26 **(2) A majority of the members constitutes a quorum for the transaction of business.**

27 **(3) A member is entitled to compensation and expenses as provided in ORS 292.495 from**  
28 **funds appropriated to the commission.**

29 **(4) The commission may employ an administrator and other staff as may be necessary**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 to carry out its functions.

2 (5) In accordance with ORS chapter 183, the commission may adopt rules necessary for  
3 the operation of the commission.

4 **SECTION 4. The Commission for the Deaf and Hard of Hearing shall:**

5 (1) Work for the establishment of economic, social, legal and political rights for individ-  
6 uals who are deaf or hard of hearing in Oregon, that are equal to the rights enjoyed by in-  
7 dividuals who are not deaf or hard of hearing.

8 (2) Monitor proposed legislation and existing programs to assess the extent to which the  
9 legislation and programs meet the needs of individuals who are deaf or hard of hearing.

10 (3) Identify and research problem areas and issues affecting individuals who are deaf or  
11 hard of hearing and recommend actions to the Governor and the Legislative Assembly, in-  
12 cluding recommendations on legislative changes.

13 (4) Act as a liaison between government entities and the community of individuals who  
14 are deaf and the community of individuals who are hard of hearing.

15 (5) Encourage representation on state boards and commissions by individuals who are  
16 deaf and individuals who are hard of hearing.

17 **SECTION 5. The Commission for the Deaf and Hard of Hearing Fund is established in the**  
18 **State Treasury, separate and distinct from the General Fund. Interest earned by the Com-**  
19 **mission for the Deaf and Hard of Hearing Fund shall be credited to the fund. Moneys in the**  
20 **fund are continuously appropriated to the Commission for the Deaf and Hard of Hearing.**

21 **SECTION 6. The Commission for the Deaf and Hard of Hearing may receive and accept**  
22 **gifts, grants and donations from any source for expenditure to carry out the duties and**  
23 **functions of the commission. Gifts, grants or donations received pursuant to this section**  
24 **shall be deposited to the Commission for the Deaf and Hard of Hearing Fund established in**  
25 **section 5 of this 2009 Act.**

26 **SECTION 7. ORS 410.740 is amended to read:**

27 410.740. (1) The Oregon Deaf and [*Hard-of-Hearing*] **Hard of Hearing** Services Program is cre-  
28 ated in the Department of Human Services. The purpose of the program is to assist members of the  
29 public and state agencies in making agency programs available and accessible to individuals who  
30 are deaf or hard of hearing.

31 (2) The program may also provide the following:

32 (a) Identification and publicity of the needs and concerns of individuals who are deaf or hard  
33 of hearing as their needs and concerns relate to the full achievement of economic, social, legal and  
34 political equity.

35 (b) Advice to the Department of Human Services, the Governor, the Legislative Assembly and  
36 appropriate state agency administrators on how state services for individuals who are deaf or hard  
37 of hearing might be improved or better coordinated to meet the needs of these individuals.

38 (c) Information to individuals who are deaf or hard of hearing about where they may obtain  
39 assistance in rehabilitation and employment and about laws prohibiting discrimination in employ-  
40 ment as a result of disability.

41 (d) Cooperation with and assistance to interest groups in rehabilitation and employment of in-  
42 dividuals who are deaf or hard of hearing and encouragement of public and private employers to  
43 undertake affirmative action to ensure equitable employment of individuals who are deaf or hard of  
44 hearing.

45 (e) Promotion of a continuous program of information and education to employers and the gen-

1 eral public to increase awareness of and sensitivity to the needs of individuals who are deaf or hard  
2 of hearing for equitable education and training that will ensure for these individuals their full vo-  
3 cational potential.

4 (f) Promotion of a continuous information program for placement of individuals who are deaf or  
5 hard of hearing in suitable employment.

6 [(3)(a) *The Director of Human Services shall appoint an advisory committee to advise the director*  
7 *regarding the program. The director shall consult with the advisory committee regarding the services*  
8 *described in this section.*]

9 [(b) *The director shall appoint to the advisory committee 12 individuals who have experience in*  
10 *issues that affect individuals who are deaf or hard of hearing.*]

11 **(3) The Director of Human Services shall consult with the Commission for the Deaf and**  
12 **Hard of Hearing established under section 1 of this 2009 Act regarding the program services**  
13 **described in this section.**

14 **SECTION 8.** ORS 185.225 is amended to read:

15 185.225. The State Board of Education shall adopt by rule standards for sign language inter-  
16 preters for persons in the public schools who are deaf or hard of hearing. In developing the stan-  
17 dards, the state board shall consult with the [*advisory committee created under ORS 410.740*]  
18 **Commission for the Deaf and Hard of Hearing established under section 1 of this 2009 Act**  
19 and the Director of Human Services.

20 **SECTION 9.** **There is appropriated to the Commission for the Deaf and Hard of Hearing,**  
21 **for the biennium beginning July 1, 2009, out of the General Fund, the amount of \$\_\_\_\_\_ for**  
22 **the purpose of carrying out the provisions of sections 1 to 4 of this 2009 Act.**