

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE BILL NO. 1038
(Legislative Council)
(Budget Committee on Institutional Services)

AN ACT to create and enact a new section to chapter 25-06 of the North Dakota Century Code, relating to definitions; to amend and reenact sections 25-06-01, 25-06-02, and 25-06-05 of the North Dakota Century Code, relating to the name of the school for the blind, duties of the school for the blind, and services to nonresidents; and to repeal sections 25-06-04, 25-06-07, and 25-06-09 of the North Dakota Century Code, relating to qualifications for admission, instruction at the school for the blind, and duty to report blind persons.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 25-06 of the North Dakota Century Code is created and enacted as follows:

Definitions. For purposes of this chapter, an individual who is blind means an individual who is totally blind or whose central visual acuity does not exceed twenty/two hundred in the better eye with corrective lenses, or the widest diameter of the visual field is no greater than twenty degrees; and an individual with a visual impairment means an individual with an impairment in vision which, even with correction, adversely affects the individual's functional ability.

SECTION 2. AMENDMENT. Section 25-06-01 of the North Dakota Century Code is amended and reenacted as follows:

25-06-01. North Dakota vision services - school for the blind - Maintained - Location. There must be maintained at Grand Forks, in Grand Forks County, ~~an institution a statewide service, resource, and referral center~~ for the education and training of ~~the~~ all residents of this state who are blind ~~or have a visual impairment~~ which must be known as the North Dakota vision services - school for the blind.

SECTION 3. AMENDMENT. Section 25-06-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

25-06-02. ~~Object~~ Duties and responsibilities of North Dakota vision services - school for the blind. ~~The~~ Within the limits of legislative appropriation, North Dakota vision services - school for the blind is a statewide resource center for the provision of services to residents of this state, including vision-specific consultations, evaluations, information, and training and loans of adaptive devices, equipment, and materials. It shall receive and educate blind and partially blind children who are residents of this state and who, because of this handicap, are not able to receive an appropriate education in the public schools of this state shall:

1. Provide vision-specific services that include consultations, evaluations, information, training, and educational services, including instruction in orientation, mobility, braille, braille music, daily living skills, technology, vocational training, and recreation.
2. Collect and distribute information on vision services and resources available in the state.
3. Coordinate loans of adaptive devices, equipment, and materials.
4. Maintain a data base of residents who are blind or have a visual impairment.
5. Facilitate collaboration with agencies and programs providing services to individuals who are blind or have a visual impairment.

6. Assist residents to access appropriate services, including services available from the vocational rehabilitation division, independent living centers, infant development programs, developmental disabilities programs, the state library, local education programs, and advocacy programs.

SECTION 4. AMENDMENT. Section 25-06-05 of the North Dakota Century Code is amended and reenacted as follows:

25-06-05. Admission of Services to nonresidents. ~~Blind children of suitable age~~ Individuals who are blind or have a visual impairment who are not residents of this state may enroll in the receive services from North Dakota vision services - school for the blind upon payment in advance of if the individuals pay the cost of the education services as determined by the superintendent of public instruction. ~~Nonresident children, however,~~ Nonresidents may not be received receive services to the exclusion of children who are residents of this state.

SECTION 5. REPEAL. Sections 25-06-04, 25-06-07, and 25-06-09 of the North Dakota Century Code are repealed.

SECTION 6. STATUTORY REFERENCES RELATING TO SCHOOL FOR THE BLIND. The legislative council may insert or replace appropriate references to the school for the blind in North Dakota Century Code sections, consistent with usages contained in this Act. References inserted may be adjusted to suit the context and grammar of the sections and must be inserted so as to harmonize existing law with regard to the name change provided by this Act. The sections of the North Dakota Century Code to which the authority of this section applies include 15-34.1-02, 15-39-01, 15-39.1-04, 15-47-26, 15-47-27.2, 15-47-34, 15-59-05.1, 15.1-02-07, 20.1-03-04, 25-01-01, 25-01-03, 25-06-02.1, 25-06-02.2, 25-06-03, 25-06-10, 25-07-02, 32-12.2-01, 50-24.1-11, and 54-44.3-20.

SECTION 7. MEASURES ENACTED BY THE LEGISLATIVE ASSEMBLY RELATING TO SCHOOL FOR THE BLIND. The legislative council may insert appropriate references in any measure enacted by the legislative assembly which refers to the terms "North Dakota school for the blind" or "school for the blind" consistent with usages contained in this Act. References inserted may be adjusted to suit context and grammar of the sections and must be inserted so as to harmonize the legislative measure with regard to the name change provided by this Act.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Fifty-seventh Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1038.

House Vote: Yeas 96 Nays 0 Absent 2

Senate Vote: Yeas 44 Nays 0 Absent 5

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2001.

Approved at _____ M. on _____, 2001.

Governor

Filed in this office this _____ day of _____, 2001,

at _____ o'clock _____ M.

Secretary of State