

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1380

2001 HOUSE HUMAN SERVICES

HB 1380

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1380

House Human Services Committee

☐ Conference Committee

Hearing Date January 30, 2001

Tape Number	Side A	Side B	Meter #
Tape 1	X		0 to 610
Tape 3	X		230 to 420
Committee Clerk Signature <i>Corinne Easton</i>			

Minutes:

Chairman Price, Vice Chairman Devlin, Rep. Dosch, Rep. Galvin, Rep. Klein, Rep. Pollert, Rep. Porter, Rep. Tieman, Rep. Weiler, Rep. Weisz, Rep. Cleary, Rep. Metcalf, Rep. Niemeier, Rep. Sandvig

Chairman Price: Open hearing on HB 1380.

Rep. Kliniske: Presented Bill. It has been the practice of Governor Schafer to appoint an individual with disabilities. This bill is to ensure that from Governor to Governor this practice continues.

Cindy Vollmer: Chairman of the Committee on Protection and Advocacy. (See support of HB 1380 in written testimony.) The passage of this bill will ensure that people with disabilities maintain a majority membership.

Jack McDonald: Appearing in behalf of The Arc of North Dakota. (See support of HB 1380 in written testimony.) We strongly support a bill that will make one of the Governor's two

appointees a person with disabilities or a person closely associated with a person with a disability. This will make the committee a stronger body in order for them to advise.

Diane Sheppard: Director of The Arc, Upper Valley of Grand Forks. We support this bill as presented and encourage you to vote DO PASS.

Mr. Snortland: Representing AARP. You can't imagine all the inconveniences you experience when you are handicapped. I think this bill is a good idea and I hope you will support this bill.

Chairman Price: Close hearing on HB 1380.

COMMITTEE WORK:

CHAIRMAN PRICE: Let's go to HB 1380. On this bill we had no opposition, but we did have a proposed amendment from Mr. McDonald.

REP. PORTER: I would move the amendment that is presented by Mr. McDonald.

REP. POLLERT: Second.

CHAIRMAN PRICE: Discussion on amendment? (All in favor.) We have an amended bill.

REP. KLEIN: I will make a motion for a DO PASS.

REP. TIEMAN: Second.

CHAIRMAN PRICE: We have a motion for a **DO PASS as amended**. Discussion? The clerk will take the roll.

14 YES 0 NO 0 ABSENT CARRIED BY REP. KLEIN

10046.0101
Title.0200

Adopted by the Human Services Committee
January 30, 2001

VR
1/31/01

HOUSE AMENDMENTS TO HB 1380

HOUSE HS

1-31-01

Page 1, line 7, overstrike "association for retarded citizens" and insert immediately thereafter
"arc"

Renumber accordingly

Date: 1-30-01
Roll Call Vote #: /

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1380

House Human Services Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS as amended

Motion Made By Rep. Klein Seconded By Tieman

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price, Chairman	✓		Rep. Audrey Cleary	✓	
Rep. William Devlin, V, Chairman	✓		Rep. Ralph Metcalf	✓	
Rep. Mark Dosch	✓		Rep. Carol Niemeier	✓	
Rep. Pat Galvin	✓		Rep. Sally Sandvig	✓	
Rep. Frank Klein	✓				
Rep. Chet Pollert	✓				
Rep. Todd Porter	✓				
Rep. Wayne Tieman	✓				
Rep. Dave Weiler	✓				
Rep. Robin Weisz	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Klein

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 31, 2001 2:02 p.m.

Module No: HR-17-2012
Carrier: F. Klein
Insert LC: 10046.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1380: Human Services Committee (Rep. Price, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1380 was placed on the
Sixth order on the calendar.

Page 1, line 7, overstrike "association for retarded citizens" and insert immediately thereafter
"arc"

Renumber accordingly

2001 SENATE HUMAN SERVICES

HB 1380

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1380

Senate Human Services Committee

☐ Conference Committee

Hearing Date March 7, 2001

Tape Number	Side A	Side B	Meter #
2	X		13.9
2	X		45.8
Committee Clerk Signature <i>Carol Guladick</i>			

Minutes:

The hearing was opened on HB 1380.

REPRESENTATIVE AMY KLINSKI, Sponsor of the bill, introduced the bill. The Protection and Advocacy project has four appointments on their board. Two are legislative and two are Gubernatorial. This bill is asking that one of those appointees would be disabled or a family member of a disabled person. Passage of this bill will not change makeup of the board. It would affect future appointments.

CINDY VOLMER, Chairperson of the Protection and Advocacy, supports the bill and the entire committee has given a positive consensus (Written testimony)

Opposition:

BOB HARMS, Council to the Governor, opposes bill. There is no need for this bill. Practices foreclude what has gone on. The Governor needs the flexibility to make up a well balanced

Page 2

Senate Human Services Committee

Bill/Resolution Number HB 1380

Hearing Date March 7, 2001

board. Recommends a DO NOT PASS. SENATOR MATHERN: Wouldn't this guarantee a good balance on the board.

No other testimony.

The hearing was closed on 1380.

SENATOR MATHERN moved a DO PASS. Motion failed for lack of second. Discussion on bill. The committee was adjourned until 3:00 pm.

The committee was called back to order - Meter 45.8

Discussion ensued. SENATOR MATHERN moved a DO PASS. Motion failed for lack of second. SENATOR FISCHER moved a DO NOT PASS. SENATOR POLOVITZ seconded the motion. Discussion. Roll call vote carried 5-1. SENATOR FISCHER will carry the bill.

Date: 3/14/01

Senate HUMAN SERVICES Committee

or
☐ Conference Committee

Action Taken As Not Case

[illegible]

Floor Assignment Lex Fischer

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 16, 2001 3:29 p.m.

Module No: SR-46-5953
Carrier: Fischer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1380, as engrossed: Human Services Committee (Sen. Lee, Chairman) recommends
DO NOT PASS (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed
HB 1380 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1380

HB 1380
House Human Services Committee
January 30, 2001

Chair Price and members of the committee, I am Cindy Vollmer, the Chair of the Committee on Protection and Advocacy. The Committee on Protection and Advocacy is the governing board of the Protection and Advocacy Project (P&A), a state agency with the mandate to protect, and advocate for, the rights of individuals with disabilities.

P&A was established in North Dakota in 1977. For years it was governed by the Executive Committee of the Governor's Council on Human Resources. In 1989, a State law was passed that provided for a separate governing board, called the Committee on Protection and Advocacy. With two of the seven appointments made by the Governor, the rest of the board membership was essentially self-perpetuating. In 1995, North Dakota law was revised to allow for the appointment of members by the Governor (2 members), the Legislative Council (2 members), the Mental Health Association in North Dakota, The Arc of North Dakota, and People First of North Dakota.

P&A is held accountable through a variety of mechanisms. It currently receives funding from four federal entities, each of which requires annual reports of the agency's expenditures and activities. As a State entity, P&A complies with audits every one to two years. P&A also conducts annual public comment activities and an ongoing client satisfaction survey.

The current governing structure works well. The make-up of the board provides for accountability at a State level to persons with disabilities and their representatives as well as to elected officials.

Historically, one of the Governor's appointees has been a family member of a person with a disability. This is also the situation with the

board as it currently exists. The passage of this bill will ensure that people with disabilities, and their representatives, maintain a majority membership. At the same time, P&A will continue to be accountable to the federal government and the State of North Dakota.

The Committee on Protection and Advocacy urges your support of HB 1380. Thank you. I will be glad to answer any questions.

JANUARY 30, 2001

HOUSE HUMAN SERVICES COMMITTEE
SB 1380

REPRESENTATIVE PRICE AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing here today on behalf of The Arc of North Dakota. The Arc is an open membership organization made up of people with mental retardation and other related developmental disabilities, their families, friends, interested citizens, and professionals in the disability field.

It is organized on three levels: local chapters, state chapters and the national organization. All three levels provide opportunities to engage policy-makers in efforts to improve public policy affecting people with mental retardation and related developmental disabilities and their families.

The Arc of North Dakota has over 1,200 committed members and friends...your neighbors and constituents...in chapters in Grand Forks, Fargo, Valley City, Jamestown, Bismarck, Dickinson and Bowman.

Our **Mission Statement** is to improve the quality of life for children and adults with mental, retardation and related developmental disabilities and their families through advocacy, education and family support services.

Public policy advocacy is an essential component of the Arc movement, and that's why we're here today. Arc members have worked together over the past 50 years to secure family support services, special education, health care, leisure opportunities, vocational training, community housing and other community support services.

We strongly support the bill that will make one of the Governor's two appointees a person with disabilities or a person closely associated with individuals with disabilities. This will make the committee a stronger body to advise on protection and advocacy matters.

However, we're proposing an amendment to correct our association's name.

Therefore, we respectfully request that you adopt the amendment below, and then give the bill a do pass.

If you have any questions, I will be happy to try to answer them. THANK YOU FOR YOUR TIME AND CONSIDERATION.

PROPOSED AMENDMENTS TO HB 1380

On page 1, line 7, overstrike "association for retarded citizens" and insert "arc"

Renumber accordingly

The Arc, Upper Valley

(701) 772-0191 Office
(877) 250-2022 Toll Free

P.O. Box 12420
2500 DeMers Ave.
Grand Forks, ND 58208-2420

Fax (701) 772-2195
Email thearc@arcuv.com

January 30, 2001

House Human Services
HB 1380

CHAIRMAN PRICE AND COMMITTEE MEMBERS:

My name is Dianne Sheppard, I'm appearing here today on behalf of The Arc, Upper Valley. We are private non-profit organization dedicated to improving the general welfare of people with mental retardation and related developmental disabilities and their families through advocacy, education and family support services. We are a chapter member of The Arc of North Dakota and The Arc of the United States.

During the legislative interim, members of our organization worked with the committee on protection and advocacy relative to HB 1380. The Arc strongly encourages your support in passing this bill with an amendment changing the name of the organization from association for retarded citizens of North Dakota to its proper name The Arc of North Dakota.

If you have any questions, I will be happy to try to answer them.

Thank you for your time and consideration.

MARCH 7, 2001

SENATE HUMAN SERVICES COMMITTEE
HB 1380

SENATOR LEE AND COMMITTEE MEMBERS:

My name is Jack McDonald. I'm appearing here today on behalf of The Arc of North Dakota. The Arc is an open membership organization made up of people with mental retardation and other related developmental disabilities, their families, friends, interested citizens, and professionals in the disability field.

It is organized on three levels: local chapters, state chapters and the national organization. All three levels provide opportunities to engage policy-makers in efforts to improve public policy affecting people with mental retardation and related developmental disabilities and their families.

The Arc of North Dakota has over 1,200 committed members and friends...your neighbors and constituents...in chapters in **Grand Forks, Fargo, Valley City, Jamestown, Bismarck, Dickinson and Bowman.**

Our **Mission Statement** is to improve the quality of life for children and adults with mental, retardation and related developmental disabilities and their families through advocacy, education and family support services.

Public policy advocacy is an essential component of the Arc movement, and that's why we're here today. Arc members have worked together over the past 50 years to secure family support services, special education, health care, leisure opportunities, vocational training, community housing and other community support services.

We strongly support this bill that will make one of the Governor's two appointees a person with disabilities or a person closely associated with individuals with disabilities. This will make the committee a stronger body to advise on protection and advocacy matters.

The House amendment was at our request to use the correct version of our name. We respectfully request that you give the bill a do pass.

If you have any questions, I will be happy to try to answer them. **THANK YOU FOR YOUR TIME AND CONSIDERATION.**

HB 1380
Senate Human Services Committee
March 7, 2001

Chairman Lee and members of the committee, I am Cindy Vollmer, the Chair of the Committee on Protection and Advocacy. The Committee on Protection and Advocacy is the governing board of the Protection and Advocacy Project (P&A), a state agency with the mandate to protect, and advocate for, the rights of individuals with disabilities.

P&A was established in North Dakota in 1977. For years it was governed by the Executive Committee of the Governor's Council on Human Resources. In 1989, a State law was passed that provided for a separate governing board, called the Committee on Protection and Advocacy. With two of the seven appointments made by the Governor, the rest of the board membership was essentially self-perpetuating. In 1995, North Dakota law was revised to allow for the appointment of members by the Governor (2 members), the Legislative Council (2 members), the Mental Health Association in North Dakota, The Arc of North Dakota, and People First of North Dakota.

P&A is held accountable through a variety of mechanisms. It currently receives funding from four federal entities, each of which requires annual reports of the agency's expenditures and activities. As a State entity, P&A complies with audits every one to two years. P&A also conducts annual public comment activities and an ongoing client satisfaction survey.

The current governing structure works well. The make-up of the board provides for accountability at a State level to persons with disabilities and their representatives as well as to elected officials.

Historically, one of the Governor's appointees has been a family member of a person with a disability. This is also the situation with the

board as it currently exists. The passage of this bill will ensure that people with disabilities, and their representatives, maintain a majority membership. At the same time, P&A will continue to be accountable to the federal government and the State of North Dakota.

The Committee on Protection and Advocacy urges your support of HB 1380. Thank you. I will be glad to answer any questions.