

LEGISLATIVE BILL 101

Approved by the Governor May 18, 1979

Introduced by Labeledz, 5

AN ACT to create the Commission for the Hearing Impaired; to provide membership; to provide powers and duties; and to create a fund.

Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby created the Commission for the Hearing Impaired which shall consist of nine members to be appointed by the Governor subject to approval by the Legislature. The members of the commission shall be appointed within thirty days of the effective date of this act. Six of the members of the commission shall be hearing impaired and all members shall be familiar with the problems of the hearing impaired community in the State of Nebraska. At least four of the six hearing impaired members shall know manual communication. When appointing members to the commission, the Governor shall consider recommendations provided by the Nebraska Association of the Hearing Impaired. As used in this act, unless the context otherwise requires, commission shall mean the Commission for the Hearing Impaired.

Sec. 2. Members of the commission shall serve for terms of six years, except that of the members first appointed, three shall be appointed for terms of two years, three shall be appointed for terms of four years, and three shall be appointed for terms of six years, as designated by the Governor in the original appointment. The terms of the members shall expire on January 31 of the final year of their appointed term. As the terms of the initial appointees to the commission expire, succeeding appointees shall be representatives of the same segment of the public as the previous appointee, and such successors shall be appointed to six-year terms, except appointees to vacancies occurring from unexpired terms, in which case the successor shall serve out the term of his or her predecessor. Members whose terms have expired shall continue to serve until their successors have been appointed.

Sec. 3. Members may be removed by the Governor for inefficiency, neglect of duty, or misconduct in office, but only after delivering to the member a copy of the charges and affording such member an opportunity to be publicly heard in person, or by counsel, in his or her own defense, upon not less than ten days' notice.

Sec. 4. The members of the commission shall receive no compensation for their services as such but shall be reimbursed for their actual and necessary expenses in attending meetings of the commission and in carrying out their official duties as provided in section 84-306.01, Revised Statutes Supplement, 1978, for state employees.

Sec. 5. The commission shall hold at least six meetings a year, at a time and place fixed by the commission and shall keep a record of its proceedings, which shall be open to the public for inspection. The commission shall make rules for the holding of special meetings. Written notice of the time and place of all meetings shall be mailed in advance to the office of each member of the commission by the secretary. Six of the members of the commission shall constitute a quorum.

Sec. 6. The commission shall annually elect from its members a chairperson, vice-chairperson, and a secretary who may hold the same office for a period of not more than four years or until a successor is elected. The vice-chairperson shall serve as chairperson in case of the absence or disability of the chairperson.

Sec. 7. The commission shall appoint a qualified person to serve as executive director who shall serve at the pleasure of the commission. When appointing an executive director preference may be given to a hearing impaired person.

Sec. 8. The commission may employ any other employees it considers necessary to carry out the purposes of this act.

Sec. 9. The commission shall serve as the principal state agency responsible for advocating public policies and programs which shall improve the quality and coordination of existing services for the hearing impaired and promote the development of new services when necessary. To perform this function the commission shall:

(1) Inventory services available for meeting the problems of the hearing impaired and assist hearing impaired persons in locating and securing such services;

(2) Maintain a list of persons qualified in various types of interpreting and make this information available to local, state, federal, and private organizations and to any interested person;

(3) Promote the training of interpreters for the hearing impaired;

(4) Provide counseling to hearing impaired persons or refer such persons to private or governmental agencies which provide counseling services;

(5) Conduct a voluntary census of hearing impaired persons in Nebraska and compile a current registry;

(6) Promote expanded adult educational opportunities for hearing impaired persons;

(7) Serve as an agency for the collection of information concerning the hearing impaired and for the dispensing of such information to interested persons by collecting studies, compiling bibliographies, gathering information and conducting research with respect to the education, training, counseling, placement, and social and economic adjustment of the hearing impaired and with respect to the causes, diagnosis, treatment, and methods of prevention of impaired hearing;

(8) Appoint advisory or special committees when appropriate for in-depth investigations and study of particular problems and receive reports of findings and recommendations;

(9) Evaluate and monitor programs for services to the hearing impaired and make recommendations to those state agencies providing such services regarding changes necessary to improve the quality and coordination of the services;

(10) Make recommendations to the Governor and the Legislature with respect to modification in existing services or establishment of additional services for hearing impaired persons; and

(11) Serve as an advocate for the rights of hearing impaired persons.

Sec. 10. The commission shall in fulfilling its responsibilities enumerated in section 9 of this act cooperate with the State Department of Education and any other state agency having authority related to the problems of hearing impaired persons. Such agencies are also directed to cooperate with the commission. Avoidance of unnecessary duplication of state-delivered services to the hearing impaired shall be a primary objective of such cooperation.

Sec. 11. The commission may make agreements with other state agencies and may contract with other individuals, organizations, corporations, associations, or other legal entities including private agencies or any department or agency of the federal government or the state or any political subdivision thereof, to carry out the functions and purposes of the commission.

Sec. 12. The Governor may accept gifts, grants, and donations of money, personal property, and real property for use in expanding and improving services to hearing impaired persons of this state.

Sec. 13. There is hereby created a Commission for the Hearing Impaired Fund to consist of such funds as the Legislature shall appropriate and any funds received under section 12 of this act. The fund shall be used to administer this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to Chapter 72, article 12.