

# Senate Bill 1005

Sponsored by COMMITTEE ON RULES

## 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**.

Requires specified portion of moneys raised under existing telecommunications service retail subscriber surcharge authority to be used by Oregon Disabilities Commission to implement and maintain activities of Deaf and Hard of Hearing Access Program.

Appropriates portion of moneys from Residential Service Protection Fund to Oregon Disabilities Commission for implementation and maintenance of Deaf and Hard of Hearing Access Program activities and administrative costs.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to hearing impaired access program funding; creating new provisions; amending ORS  
3 185.150 and section 8, chapter 290, Oregon Laws 1987; appropriating money; and prescribing an  
4 effective date.

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

6 **SECTION 1. Section 2 of this 2005 Act is added to and made a part of sections 9 to 14,**  
7 **chapter 290, Oregon Laws 1987.**

8 **SECTION 2. Moneys representing five cents of the 35 cent per month surcharge authority**  
9 **under section 7, chapter 290, Oregon Laws 1987, shall be used to implement and maintain the**  
10 **Deaf and Hard of Hearing Access Program activities described in section 5 of this 2005 Act.**

11 **SECTION 3. Section 8, chapter 290, Oregon Laws 1987, as amended by section 74, chapter 966,**  
12 **Oregon Laws 1989, section 3, chapter 622, Oregon Laws 1991, section 1, chapter 872, Oregon Laws**  
13 **1991, and section 2, chapter 231, Oregon Laws 1993, is amended to read:**

14 **Sec. 8.** The Residential Service Protection Fund is established in the State Treasury, separate  
15 and distinct from the General Fund. Interest earned by moneys in the fund shall be credited to the  
16 fund. All moneys in the fund [*are appropriated to the Public Utility Commission to carry*] **shall be**  
17 **distributed as follows:**

18 **(1) Moneys described in section 2 of this 2005 Act are continuously appropriated to the**  
19 **Oregon Disabilities Commission for the implementation and maintenance of the Deaf and**  
20 **Hard of Hearing Access Program activities described in section 5 of this 2005 Act; and**

21 **(2) The balance of moneys in the fund are continuously appropriated to the Public Utility**  
22 **Commission for the purpose of carrying out the provisions of chapter 290, Oregon Laws 1987.**

23 **SECTION 4. Section 5 of this 2005 Act is added to and made a part of ORS 185.110 to**  
24 **185.230.**

25 **SECTION 5. (1) The Oregon Disabilities Commission shall, as part of the Deaf and Hard**  
26 **of Hearing Access Program referenced in ORS 185.150:**

27 **(a) Provide or contract for the provision of direct services to deaf and hard-of-hearing**  
28 **individuals, including but not limited to services to facilitate independent living and**

**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 **workforce participation by individuals who are deaf or hearing-impaired;**

2 **(b) Establish five regional service centers to comprehensively address the needs of the**  
3 **deaf and hearing-impaired community; and**

4 **(c) Undertake other efforts to provide assistance, services or assistive device training to**  
5 **the deaf and hearing-impaired community.**

6 **(2) The commission may recover administrative costs incurred in implementing sub-**  
7 **section (1) of this section from the amount appropriated to the commission under section 8,**  
8 **chapter 290, Oregon Laws 1987, but may not use more than 10 percent of the amount ap-**  
9 **propriated to the commission under section 8, chapter 290, Oregon Laws 1987, for adminis-**  
10 **trative costs.**

11 **SECTION 6.** ORS 185.150 is amended to read:

12 185.150. The duties of the Oregon Disabilities Commission shall combine the functions of the  
13 Governor's Steering Committee on the Handicapped and the Governor's Committee on Employment  
14 of the Handicapped, and shall include:

15 (1) Identifying and hearing the concerns of individuals with disabilities;

16 (2) Publicizing the needs and concerns of individuals with disabilities as they relate to the full  
17 achievement of economic, social, legal and political equity;

18 (3) Advising the Department of Human Services, the Governor, the Legislative Assembly and  
19 appropriate state agency administrators on how state services for individuals with disabilities might  
20 be improved or better coordinated to meet the needs of the individuals with disabilities;

21 (4) Advising local government agencies on matters which affect individuals with disabilities;

22 (5) Submitting a report of commission activities and recommendations to the Governor at least  
23 annually, and to the Legislative Assembly at least biennially and nominating qualified individuals  
24 with disabilities for appointment to boards, commissions and policy level management and profes-  
25 sional positions;

26 (6) Studying and reporting on state agency programs and budgets that affect individuals with  
27 disabilities;

28 (7) Informing individuals with disabilities where they may obtain assistance in rehabilitation and  
29 employment and about laws prohibiting discrimination in employment as a result of disability;

30 (8) Cooperating with and assisting other interest groups in rehabilitation and employment of  
31 individuals with disabilities and encouraging public and private employers to undertake affirmative  
32 action to assure equitable employment of individuals with disabilities;

33 (9) Giving impetus and assistance to local community committees and fostering a more equitable  
34 climate for rehabilitation and equitable employment of individuals with disabilities;

35 (10) Promoting a continuous program of information and education to employers and the general  
36 public so they are aware of and sensitive to the needs and desires of individuals with disabilities for  
37 equitable education and training that will assure individuals with disabilities of their full vocational  
38 potentials;

39 (11) Promoting a continuous information program for placement of individuals with disabilities  
40 in suitable employment;

41 (12) Coordinating and executing programs of the President's Committee on Employment of the  
42 Handicapped, if any, and participating with other groups in sponsoring suitable public recognition  
43 programs for individuals with disabilities; and

44 (13) Assisting members of the public and state agencies in making agency programs available  
45 and accessible to individuals who are deaf and hearing impaired. The Deaf and **Hard of Hearing**

1 *[Impaired]* Access Program shall perform the activities of this effort.

2 **SECTION 7. Section 2 of this 2005 Act and the amendments to section 8, chapter 290,**  
3 **Oregon Laws 1987, by section 3 of this 2005 Act become operative on the earlier of:**

4 (1) **The first day of the month in which an increase of five cents or more in the surcharge**  
5 **described in section 7, chapter 290, Oregon Laws 1987, takes effect; or**

6 (2) **January 1, 2006.**

7 **SECTION 8. This 2005 Act takes effect on the 91st day after the date on which the reg-**  
8 **ular session of the Seventy-third Legislative Assembly adjourns sine die.**

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