

CHAPTER 280—S.F.No. 3364

An act relating to state government; changing provisions of the Commission of Deaf, Deaf-blind and Hard-of-Hearing Minnesotans; amending Minnesota Statutes 2006, section 256C.28, as amended.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 256C.28, as amended by Laws 2007, chapter 133, article 2, section 11, is amended to read:

256C.28 COMMISSION SERVING OF DEAF, DEAF-BLIND, AND HARD-OF-HEARING ~~PEOPLE~~ MINNESOTANS.

Subdivision 1. **Membership.** The ~~Minnesota~~ Commission Serving of Deaf, Deaf-blind and Hard-of-Hearing ~~People~~ Minnesotans consists of seven members appointed at large and one member from each advisory committee established under section 256C.24, subdivision 3. At least 50 percent of the members must be deaf or deaf-blind or hard of hearing. Members shall include persons who are deaf, deaf-blind, and hard of hearing, parents of children who are deaf, deaf-blind, and hard of hearing, and representatives of county and regional human services, including representatives of private service providers. Commission members are appointed by the governor for a three-year term and shall serve no more than two consecutive terms. The commission shall select one member as chair. Notwithstanding section 15.059, the commission does not expire.

Subd. 2. **Removal; vacancies.** The compensation, removal of members, and filling of vacancies on the commission are as provided in section 15.0575.

Subd. 3. **Mission.** The commission shall serve as the principal agency of the state to advocate on behalf of Minnesotans who are deaf, deaf-blind, and hard-of-hearing ~~Minnesotans~~ by working to ensure those persons have equal access to the services, programs, and opportunities available to others.

Subd. 3a. **Duties.** The commission shall:

(1) assist persons who are deaf, deaf-blind, and hard-of-hearing ~~persons~~ and parents of students who are deaf, deaf-blind, and hard-of-hearing ~~students~~ in advocating for equal access to services, programs, and opportunities;

(2) advise the governor, the legislature, the judicial branch, and the commissioners of ~~the Departments of Human Services, Education, Employment and Economic Development, and Health~~ all state agencies on the development of policies, programs, and services affecting persons who are deaf, deaf-blind, and hard-of-hearing ~~persons~~, and on the use of appropriate federal and state money;

(3) create a public awareness of the special needs and potential of persons who are deaf, deaf-blind, and hard-of-hearing ~~persons~~;

(4) provide the governor, the legislature, and the commissioners of ~~the Departments of Human Services, Education, Employment and Economic Development, and Health~~ all state agencies with a review of ongoing services, programs, and proposed legislation affecting persons who are deaf, deaf-blind, and hard-of-hearing persons;

(5) advise the governor, the legislature, the judicial branch, and the commissioners of ~~the Departments of Human Services, Education, Employment and Economic Development, and Health~~ all state agencies on statutes, rules, and policies necessary to ensure that persons who are deaf, deaf-blind, and hard-of-hearing persons have equal access to benefits and services provided to individuals in Minnesota;

(6) recommend to the governor, the legislature, the judicial branch, and the commissioners of ~~the Departments of Human Services, Education, Employment and Economic Development, and Health~~ all state agencies legislation designed to improve the economic and social conditions of persons who are deaf, deaf-blind, and hard-of-hearing persons in Minnesota;

(7) propose solutions to problems of persons who are deaf, deaf-blind, and hard-of-hearing persons in the areas of education, employment, human rights, human services, health, housing, and other related programs;

(8) recommend to the governor ~~and~~ the legislature, and the commissioners of all state agencies any needed revisions in the state's affirmative action program and any other steps necessary to eliminate the underemployment or unemployment of deaf, deaf-blind, and hard-of-hearing persons in the state's work force;

(9) work with other state and federal agencies and organizations to promote economic development for Minnesotans who are deaf, deaf-blind, and hard-of-hearing Minnesotans; and

(10) coordinate its efforts with other state and local agencies serving persons who are deaf, deaf-blind, and hard-of-hearing persons.

Subd. 4. **Staff.** The commission may appoint, subject to the approval of the governor, an executive director who must be experienced in administrative activities and familiar with the problems and needs of persons who are deaf, deaf-blind, and hard-of-hearing persons. The commission may delegate to the executive director any powers and duties under this section that do not require commission approval. The executive director serves in the unclassified service and may be removed at any time by a majority vote of the commission. The executive director shall coordinate the provision of necessary support services to the commission with the Deaf and Hard-of-Hearing Services Division. The executive director may employ and direct staff necessary to carry out commission mandates, policies, activities, and objectives.

Subd. 5. **Powers.** The commission may contract in its own name. Contracts must be approved by a majority of the members of the commission and executed by the chair and the executive director. The commission may apply for, receive, and expend in its own name grants and gifts of money consistent with the powers and duties specified in this section.

Subd. 6. **Report.** The commission may prepare and distribute periodic reports to the state agency commissioners, the governor, and the legislature concerning the activities of the commission and the needs and concerns of Minnesotans who are deaf, deaf-blind, and hard-of-hearing Minnesotans.

Subd. 7. **Electronic meetings.** (a) The commission is subject to the requirements of chapter 13D, but may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the commission participating in the meeting, wherever their physical location, can communicate with one another and can hear, see, or feel all discussion and testimony;

(2) members of the public present at the regular meeting location of the commission can hear, see, or feel all discussion and testimony and all votes of members of the commission;

(3) at least one member of the commission is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so that each member's vote on each issue can be identified and recorded.

(b) Each member of the commission participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the commission, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The commission may require the person making a connection to pay for documented marginal costs that the commission incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the commission shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c).

Presented to the governor May 5, 2008

Signed by the governor May 8, 2008, 9:51 a.m.