

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

HOUSE BILL NO. 1078
(Education Committee)
(At the request of the Superintendent of Public Instruction)

AN ACT to create and enact a new subsection to section 25-06-02 of the North Dakota Century Code, relating to the facilitation of acquisition of instructional materials in alternate formats to students with print disabilities; to amend and reenact sections 25-06-01 and 25-06-01.1 of the North Dakota Century Code, relating to the facilitation of acquisition of instructional materials in alternate formats to students with print disabilities; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. 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, a statewide service, resource, and referral center for the education and training of all residents of this state who are blind or have a visual impairment and to serve as the national instructional materials access center authorized user for the purpose of facilitating access to and conversion of accessible instructional materials in alternate formats for use by blind individuals, individuals with visual impairment, and students with other print disabilities, which must be known as the North Dakota vision services - school for the blind.

SECTION 2. AMENDMENT. Section 25-06-01.1 of the North Dakota Century Code is amended and reenacted as follows:

25-06-01.1. Definitions. For purposes of this chapter, ~~an~~:

1. 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~~
2. 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; and
3. A student with print disabilities means a student enrolled in elementary or secondary school who has an individualized education program, which includes documentation of either an inability to read or use standard printed material as a result of physical limitations or a reading disability resulting from an organic dysfunction that has been certified by competent authority to be of sufficient severity to prevent reading of printed material in a normal manner.

SECTION 3. A new subsection to section 25-06-02 of the North Dakota Century Code is created and enacted as follows:

Serve as the national instructional materials access center authorized user for the purpose of facilitating access to and conversion of accessible instructional materials in alternate formats for use by blind individuals, individuals with visual impairment, and students with other print disabilities.

SECTION 4. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$4,554, or so much of the sum as may be necessary, to the North Dakota vision services - school for the blind for the purpose of serving as the

national instructional materials accessibility center authorized user to facilitate access to and conversion of accessible instructional materials in alternate formats for the biennium beginning July 1, 2009, and ending June 30, 2011.

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 Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1078.

House Vote: Yeas 94 Nays 0 Absent 0

Senate Vote: Yeas 44 Nays 0 Absent 3

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,

at _____ o'clock _____ M.

Secretary of State