



STATUTE

Commission for Deaf and Hard of Hearing Persons Created

28-11B-1. Commission for deaf and hard-of-hearing persons created.

A. There is created the "commission for deaf and hard-of-hearing persons", consisting of seven members, a majority of whom are deaf or hard-of-hearing persons, including three ex-officio members and four members appointed by the governor without regard for party affiliation, with the advice and consent of the senate. Terms of appointed members shall be for six years, expiring on December 31 of odd-numbered years, in accordance with the staggered terms of the appointed members holding office on the effective date of this 1999 amendment.

B. Ex-officio members are:

- (1) the president of the New Mexico association for the deaf or his designee;
- (2) the superintendent of the New Mexico school for the deaf or his designee; and
- (3) the director of the vocational rehabilitation division of the state department of public education or his designee who shall be knowledgeable in the area of deafness.

C. Appointed members are:

- (1) a parent of a deaf or hard-of-hearing child;
- (2) a professional person who is deaf or hard of hearing;
- (3) a deaf or hard-of-hearing person who resides in southern New Mexico; and
- (4) a deaf or hard-of-hearing person who resides in northern New Mexico.

D. A majority of the members of the commission for deaf and hard-of-hearing persons constitutes a quorum for transaction of business. The commission shall elect a chairman from its membership.

E. Members of the commission for deaf and hard-of-hearing persons shall be compensated as provided in the Per Diem and Mileage Act [10-8-1 to 10-8-8 NMSA 1978] and shall receive no other compensation, perquisite or allowance.

F. Commission members who are serving upon the effective date of this 1999 act shall serve out the terms to which they were appointed.

28-11B-2. Commission for deaf and hard-of-hearing persons; powers and duties.

The commission for deaf and hard-of-hearing persons shall:

- A. supervise the activities of the executive director of the commission;
- B. identify the needs of the deaf and hard-of-hearing population of New Mexico;
- C. provide educational assistance to state agencies and, specifically, ensure agency compliance with regulations pertaining to deafness promulgated pursuant to the federal Americans with Disabilities Act;
- D. coordinate with state agencies providing services for deaf and hard-of-hearing persons;
- E. advocate for equal access to services and opportunities for deaf and hard-of-hearing persons;
- F. provide continuing education services to deaf and hard-of-hearing persons;
- G. assist in the establishment of a statewide interpreter referral service;
- H. review and coordinate certification and evaluation processes for interpreters;
- I. convene a minimum of four times each year in varying locations throughout the state; and
- J. submit reports on its work for the preceding year to the governor and the legislature at least forty-five days prior to each regular legislative session.

28-11B-3. Commission; staff.

- A. The commission for deaf and hard-of-hearing persons shall appoint an executive director, who shall be the administrative officer of the commission. A preference will be given to applicants for the executive director position who are deaf or hard of hearing.
- B. The executive director shall employ such assistants and employees as are necessary for the efficient operation of the commission for deaf and hard-of-hearing persons. There shall be a minimum of five full-time staff members. The executive director shall not be subject to the Personnel Act [10-9-1 NMSA 1978]. All other staff members shall be subject to the Personnel Act [10-9-1 NMSA 1978].

28-11B-4. Commission; task forces.

The commission for deaf and hard-of-hearing persons may appoint task forces as they are needed to study specific issues regarding deaf and hard-of-hearing persons. The task forces shall make written recommendations to the commission regarding improvement and coordination of activities relative to the concerns of deaf and hard-of-hearing persons.