

SL NO. 52-30-01

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AN ACT

Establishing the Pohnpei Disabilities Act to provide special services to people with disabilities; to define "areas designated to people with disabilities"; to require the Governor's Office to initiate and commence a plan to include how public and private facilities can accommodate people with disabilities; and for other purposes.

**BE IT ENACTED BY THE POHNPEI LEGISLATURE:**

1           Section 1. Short title. This act shall be known and may be cited as  
2 the "Pohnpei Disabilities Act of 2001."

3           Section 2. Statement of policy. The Pohnpei Legislature, in  
4 recognition of the obligation of the Pohnpei State Government to provide  
5 free access and special services to needy people with disabilities that may  
6 include designation of areas for people with disabilities, and requiring the  
7 Governor's Office or an appropriate entity to commence a plan to include  
8 accommodation of needy people with disabilities, hereby declares that it is  
9 the policy of Pohnpei State and the purpose of this act to provide the means  
10 of providing services to needy people with disabilities in public and private  
11 areas.

12           Section 3. Definitions. As used in this act, unless the context  
13 otherwise requires:

14                   (1) "People with disabilities" includes those individuals  
15 regardless of age who have been evaluated in the past and who are currently  
16 evaluated as having mental retardation; hearing impairments, including  
17 deafness; speech or language impairment; visual impairment, including  
18 blindness; emotional disturbance; orthopedic impairments; autism; traumatic  
19 brain injury; other health impairments; specific learning disabilities; deaf-  
20 blindness; or multiple impairments; and who, because of those impairments,  
21 need special services to be accorded to them.

22                   (2) "Areas designated to people with disabilities" means any  
23 area that has been marked or will be marked for the purposes of assisting  
24 people with disabilities to accommodate their general needs, which areas  
25 should be located in the closest and most convenient location

1 to the entrance of the establishment, and may include the following:

- 2 (a) Parking spaces;
- 3 (b) Wheelchair ramps; and
- 4 (c) Comfort room.

5 Section 4. Administration.

6 (1) There is hereby established in the Governor's Office a  
7 special program that shall be headed by the Governor or his designee to take  
8 responsibilities for and give direction to the establishment of the program  
9 and other necessary and related services associated with the program,  
10 including a plan to accommodate people with disabilities, inclusive of  
11 budget requests to initiate the program.

12 (2) The Governor shall establish and make such studies,  
13 surveys, evaluations, policies, and rules and regulations as are necessary to  
14 carry out the intent of the provisions of this act.

15 (3) The Governor shall submit to the Pohnpei Legislature a  
16 plan to provide special services to the people with disabilities which will  
17 include how public and private facilities will accommodate people with  
18 disabilities and draft laws regulating the financing and other aspects of the  
19 plan.

20 Section 5. Procedures to ensure efforts. The Governor shall develop  
21 within the plan a system that people with disabilities can utilize in acquiring  
22 parking space permits, inclusive of identification of vehicles with stickers or  
23 other appropriate identification methods; direct the appropriate entity in the  
24 state government to mark such areas at public facilities; and direct the  
25 appropriate representative of the appropriate entity in the state government

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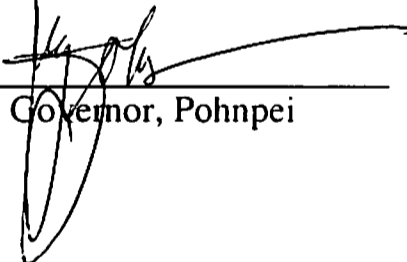
1 to discuss with private owners appropriate places to designate as areas for  
2 people with disabilities so the intention of this act will be carried  
3 out. The Governor shall have the continuing prerogative to analyze and  
4 comment on the system, either on its practical importance or legal  
5 implications, and recommend necessary changes.

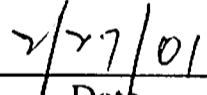
6 Section 6. Effective date. This act shall take effect upon its approval  
7 by the Governor, or upon its becoming law without such approval.

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9 PASSED BY THE POHNPEI LEGISLATURE ON THE 18<sup>TH</sup> DAY OF  
10 JANUARY, 2001.

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14 Speaker, Pohnpei Legislature

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16 Attest:   
17 \_\_\_\_\_  
18 Legislative Clerk

19 Approved:   
20 \_\_\_\_\_  
21 Governor, Pohnpei

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Date