ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 209

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 2021

The Assembly Human Services Committee reports favorably Assembly Bill No. 209.

This bill establishes the Disparity in Treatment of Persons with Disabilities in Underrepresented Communities Commission in, but not of, the Department of Community Affairs. Minorities often have less access to health care, educational opportunities, and treatment for disabling conditions, which may serve to exacerbate the impact of the disability. Noting the large number of minority residents in New Jersey, it is vital that the State provide all assistance possible to these individuals so that they may achieve the same quality of life enjoyed by so many New Jersey residents.

The commission is to consist of 10 public members who will be permitted to vote on matters before the commission. Four of the public members will be appointed by the Governor, and three members each are to be appointed by the Speaker of the General Assembly and the President of the Senate. Two of the members appointed by the Governor are to have academic expertise in the field of statistical analysis. Eight of the public members are to be leaders of community-based or civil rights organizations with experience in community and urban affairs in traditionally underserved populations. Of those eight, two appointed by the Governor and one each appointed by the President of the Senate and the Speaker of the General Assembly, respectively, are to have experience in cross-disability issues. Ten non-voting members of the commission are to be drawn from State government and will include representatives of the Department of Community Affairs, the Department of Labor and Workforce Development, the Department of Human Services, the Department of Health, the Department of Corrections, the Department of Law and Public Safety, the Department of Education, the Department of Children and Families, the Department of Banking and Insurance, and a representative of the Juvenile Justice Commission.

All appointments to the commission are to be made within 90 days of the effective date of this bill and the commission is to hold its first meeting within 150 days of the bill's effective date. The Governor is to appoint a chairperson of the commission from one of the six members appointed by the President of the Senate and the Speaker of the General Assembly. The commission is to meet at

least once a month, at a time and place to be determined by the chairperson.

The commission is to solicit proposed topics of study from the public and then determine which issue will be studied. Further public hearings are to be conducted in order to receive expert testimony or public comment on the issues being studied by the commission. The hearings are to be held at a time and place that allows for the attendance of members of the general public who are most affected by the issue being studied.

The commission is to select its first topic of study within 60 days of its first meeting. The commission is to study the unique concerns of racial or ethnic minorities with disabilities and the effect that their status as a racial or ethnic minority has on exacerbating the impact of the disability. The commission is to conduct wide cross-disability studies, inclusive of all persons who are classified as disabled under the federal Americans with Disabilities Act of 1990. The studies are to include, but not be limited to, disparity in the treatment of racial or ethnic minorities and their access to educational opportunities, employment opportunities, health care, and other services provided by both the private and public sectors. Following the review of an issue, the commission will be required to provide a report to the Governor and the Legislature detailing its findings and making recommendations as to any potential legislative and administrative remedies that may be available. The commission is to issue at least one report by October 31 of each calendar year. However, the commission's first report will be due within six months following the announcement of its first topic of study. Nothing in the bill would prohibit the commission from issuing more than one report per year.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.