

[First Reprint]

ASSEMBLY, No. 4151

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 14, 2020

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District 37 (Bergen)

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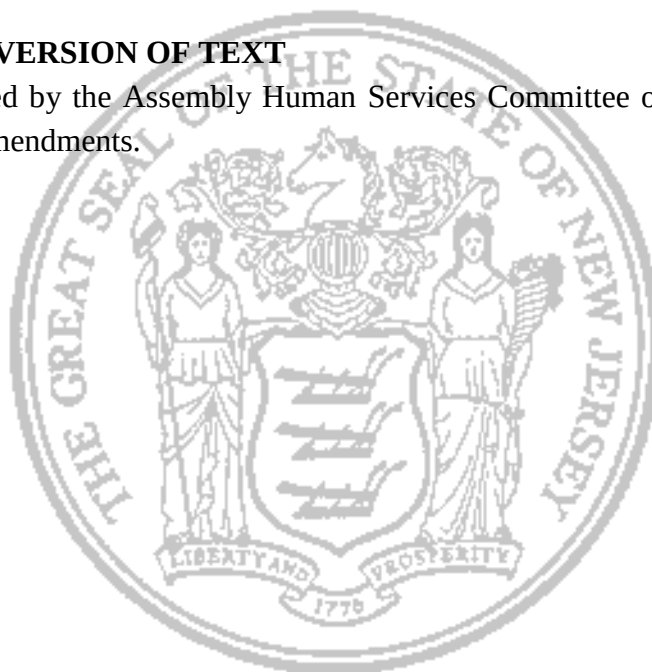
Assemblywoman McKnight

SYNOPSIS

Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS.

CURRENT VERSION OF TEXT

As reported by the Assembly Human Services Committee on December 9, 2021, with amendments.



(Sponsorship Updated As Of: 12/9/2021)

1 AN ACT concerning the Advisory Council on the Deaf and Hard of
 2 Hearing and amending P.L.1977, c.166.

3
 4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 5 *of New Jersey:*

6
 7 1. Section 8 of P.L.1977, c.166 (C.34:1-69.1a.) is amended to
 8 read as follows:

9 8. a. There shall be, within the Division of the Deaf and Hard
 10 of Hearing in the Department of Human Services, an Advisory
 11 Council on the Deaf and Hard of Hearing **[which]**.

12 b. The advisory council shall consist of **[18]** 25 members.
 13 One representative from each of the following shall be ex-officio
 14 members:**]** , including:

15 (1) seven members, or their designees, who shall serve ex
 16 officio, as follows: the Director of the Office of Special Education
 17 Policy and Procedure in the Department of Education**[,];** the
 18 Director of the Early Hearing Detection and Intervention Program
 19 in the Department of Health**[,];** the Director of the Division of the
 20 Deaf and Hard of Hearing in the Department of Human Services**[,]**
 21 the Director of the Division of Aging Services in the Department of
 22 Human Services; the Director of the Division of Vocational
 23 Rehabilitation Services in the Department of Labor**[,]** and
 24 Workforce Development; the **[Commission on]** Secretary of Higher
 25 Education; and the Superintendent of the Marie Katzenbach School
 26 for the Deaf**[. Twelve];** and

27 (2) eighteen public members **[shall]** to be appointed by the
 28 Governor as follows: one licensed audiologist; one licensed
 29 speech-language pathologist who has experience in working with
 30 the deaf and hard of hearing populations; one instructor of American
 31 Sign Language (ASL); one educational provider who represents an
 32 educational center that uses an auditory-oral approach; one **[shall be**
 33 a] business person who shall be selected by the Governor from a list
 34 of candidates supplied by the New Jersey State Chamber of
 35 Commerce**[,];** one lay citizen born of deaf parents**[, five];** one parent
 36 of a child who is deaf or hard of hearing; one parent of a child who is
 37 deaf or hard of hearing and has special needs; one citizen who is deaf-
 38 blind and is recommended by the President of the Senate; one citizen
 39 who is deaf-blind and is recommended by the Speaker of the General
 40 Assembly; two citizens who are deaf**[,]** and are recommended by the
 41 President of the Senate, one of whom shall be recommended by the
 42 President of the Senate based on a list of candidates supplied by the
 43 New Jersey Association of the Deaf; **[two of whom shall be chosen**
 44 from the professions and three to be lay persons,**]** two citizens who are
 45 deaf and are recommended by the Speaker of the General Assembly,

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHU committee amendments adopted December 9, 2021.

1 one of whom shall be recommended by the Speaker based on a list of
2 candidates supplied by the New Jersey Association of the Deaf; [and
3 five] two citizens who are hard of hearing and are recommended by
4 the President of the Senate, one of whom shall be recommended by the
5 President of the Senate based on a list of candidates supplied by the
6 Hearing Loss Association of New Jersey; and two citizens who are
7 hard of hearing and are recommended by the Speaker of the General
8 Assembly, one of whom shall be recommended by the Speaker based
9 on a list of candidates supplied by the Hearing Loss Association of
10 New Jersey. [In considering the appointment of the five citizens who
11 are deaf the Governor shall give appropriate consideration to persons
12 recommended by profoundly deaf adults represented by the New
13 Jersey Association of the Deaf, Incorporated. In considering the
14 appointment of the five citizens who are hard of hearing, the Governor
15 shall give appropriate consideration to persons recommended by
16 hard of hearing adults represented by the organization, Self Help for
17 Hard of Hearing People, Inc.]

18 c. Each [appointive] appointed member of the advisory
19 council shall serve for a term of three years and until [his] a
20 successor is appointed and [qualifies] qualified, except that, of the
21 members first appointed upon the enactment of P.L.1977, c.166
22 (C.34:1-69.1a et al.), the Governor shall designate the appointee's
23 terms so that two shall be appointed for terms of one year, two for
24 terms of two years, and three for terms of three years. Appointed
25 members of the council may be removed by the Governor, at any
26 time, for cause. Any vacancy on the council shall be filled for the
27 unexpired term, in the same manner provided for the original
28 appointment. Members shall be eligible for reappointment to the
29 advisory council.

30 d. The advisory council may establish an executive sub-
31 committee and any other sub-committee of its members as it deems
32 necessary or proper, and it may authorize such sub-committees to
33 exercise any powers of the advisory council, except those powers
34 that are expressly required by law to be exercised by the advisory
35 council. If the advisory council establishes an executive
36 '[committee] sub-committee', the '[committee] sub-committee'
37 shall have at least three members appointed by the chair.

38 e. The purpose of the advisory council shall be to support New
39 Jersey's deaf ¹, deaf-blind,¹ and hard of hearing community by
40 safeguarding the rights of persons who are deaf ¹, persons who are
41 deaf-blind,¹ and ¹persons who are¹ hard of hearing, providing
42 guidance on legislative policy, and ensuring the efficient delivery of
43 government services to the deaf ¹, deaf-blind,¹ and hard of hearing
44 populations in the State. In effectuating these purposes, the
45 advisory council shall:

46 (1) conduct an ongoing review of the programs, services, and
47 proposed legislation in the State that affects or may affect persons

1 who are deaf, persons who are deaf-blind, and persons who are hard
2 of hearing;

3 (2) provide the Governor, the Legislature, the judicial branch,
4 and the commissioners of all State agencies with advice and
5 recommendations on: (a) the development of policies, programs,
6 and services affecting persons who are deaf, persons who are deaf-
7 blind, and persons who are hard of hearing; (b) the appropriate use
8 of federal and State money in relation to persons who are deaf,
9 persons who are deaf-blind, and persons who are hard of hearing;
10 (c) the sufficiency of, and deficiencies evident in, the programs,
11 services, and proposed legislation reviewed by the advisory council
12 pursuant to paragraph (1) of this subsection; (d) the new laws, rules,
13 and policies that will be necessary to ensure that persons who are
14 deaf, persons who are deaf-blind, and persons who are hard of
15 hearing have equal access to available programs, services, and
16 benefits; (e) the legislation and policies that will work to improve
17 the economic and social conditions of persons who are deaf,
18 persons who are deaf-blind, and persons who are hard of hearing;
19 (f) the need for revisions to the State's affirmative action plan and
20 programs, or for any other State action that may be necessary to
21 eliminate the underemployment or unemployment of 'deaf, deaf-
22 blind, and hard of hearing' persons 'who are deaf, persons who are
23 deaf-blind, and persons who are hard of hearing' in the State's
24 workforce; and (g) the problems that are faced by persons who are
25 deaf, persons who are deaf-blind, and persons who are hard of
26 hearing in the areas of education, employment, human rights,
27 human services, health, housing, and other related areas;

28 (3) assist persons who are deaf, persons who are deaf-blind,
29 persons who are hard of hearing, and the parents of minors who are
30 deaf, 'minors who are' deaf-blind, or 'minors who are' hard of
31 hearing, in affirmatively advocating for equal access to services ','
32 programs, and opportunities;

33 (4) work in consultation with other State and federal agencies
34 and organizations to promote economic opportunities and growth
35 for 'individuals who are deaf, deaf-blind, or' persons who are
36 deaf, persons who are deaf-blind, and persons who are' hard of
37 hearing;

38 (5) research, formulate, and present to the Governor,
39 Legislature, and any appropriate State agencies, plans for new
40 programs, services, and policies that will serve the needs of persons
41 who are deaf, persons who are deaf-blind, and persons who are hard
42 of hearing;

43 (6) encourage and assist in the development of coordinated,
44 interdepartmental goals and objectives, and the coordination of
45 programs, services, and facilities among all State agencies, political
46 subdivisions, and private service providers as they relate to persons

1 who are deaf, persons who are deaf-blind, and persons who are hard
2 of hearing; and

3 (7) enhance public awareness of the special needs and potential
4 of persons who are deaf, persons who are deaf-blind, and persons
5 who are hard of hearing.

6 **【b.】** f. Members of the 【Advisory Council on the Deaf and
7 Hard of Hearing】 advisory council shall serve without
8 compensation, but shall be entitled to reimbursement for necessary
9 and reasonable expenses incurred in performance of their duties,
10 within the limits of funds appropriated or otherwise made available
11 to the council for its purposes. 【Vacancies on the council shall be
12 filled for the unexpired term. Members may be removed by the
13 Governor for cause.】

14 g. The Department of Human Services shall provide
15 professional and clerical staff to the advisory council '【.】' as may
16 be necessary for the advisory council's purposes, and the advisory
17 council shall be entitled to call upon the services of any State,
18 county, or municipal department, board, commission, or agency, as
19 may be available to it for its purposes.

20 h. In executing its duties under this section, the advisory
21 council shall coordinate with other State and local agencies that
22 serve persons who are deaf, 'persons who are' deaf-blind, or
23 'persons who are' hard of hearing', and 'shall' consult with
24 associations, organizations, and individuals who are knowledgeable
25 about the needs of '【such】' persons who are deaf, 'persons who
26 are' deaf-blind, or 'persons who are' hard of hearing, and the needs
27 of their families.

28 (cf: P.L.1995, c.168, s.1)

29

30 2. This act shall take effect immediately.