

[First Reprint]

SENATE, No. 2441

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator PATRICK J. DIEGNAN, JR.

District 18 (Middlesex)

Co-Sponsored by:

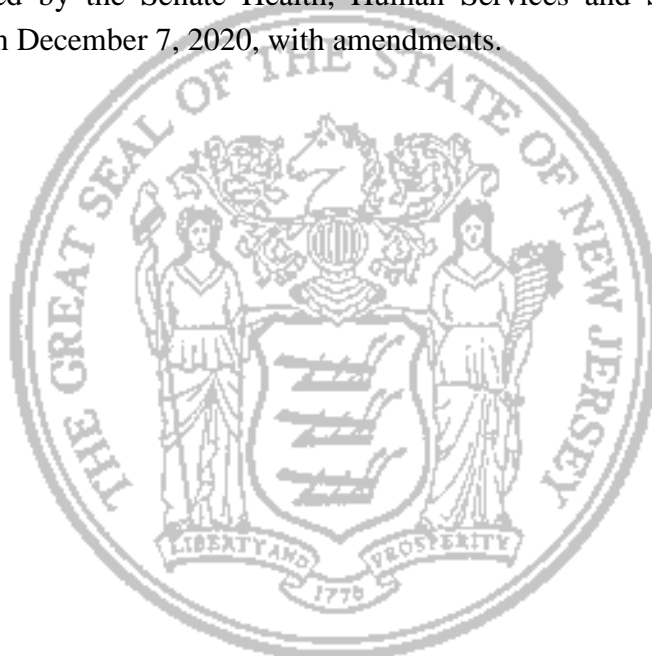
Senator Pou

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 Senate Health, Human Services and Senior Citizens Committee on December 7, 2020, with amendments.



(Sponsorship Updated As Of: 12/10/2020)

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 Director of the Early Hearing Detection and Intervention Program
23 in the Department of Health**[,];** the Director of the Division of the
24 Deaf and Hard of Hearing in the Department of Human Services**[,];**
25 the Director of the Division of Aging Services in the Department of
26 Human Services; the Director of the Division of Vocational
27 Rehabilitation Services in the Department of Labor**[,]** and
28 Workforce Development; the **[Commission on]** Secretary of Higher
29 Education; and the Superintendent of the Marie Katzenbach School
30 for the Deaf**[. Twelve]** ; and

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

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:

¹Senate SHH committee amendments adopted December 7, 2020.

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

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

35 d. The advisory council may establish an executive sub-
36 committee and any other sub-committee of its members as it deems
37 necessary or proper, and it may authorize such sub-committees to
38 exercise any powers of the advisory council, except those powers
39 that are expressly required by law to be exercised by the advisory
40 council. If the advisory council establishes an executive
41 [committee] sub-committee¹, the [committee] sub-committee¹
42 shall have at least three members appointed by the chair.

43 e. The purpose of the advisory council shall be to support New
44 Jersey's deaf¹, deaf-blind,¹ and hard of hearing community by
45 safeguarding the rights of persons who are deaf¹, persons who are
46 deaf-blind,¹ or persons who are¹ hard of hearing, providing guidance
47 on legislative policy, and ensuring the efficient delivery of

1 government services to the deaf¹, deaf-blind,¹ and hard of hearing
2 populations in the State. In effectuating these purposes, the
3 advisory council shall:

4 (1) conduct an ongoing review of the programs, services, and
5 proposed legislation in the State that affects or may affect persons
6 who are deaf, persons who are deaf-blind, and persons who are hard
7 of hearing;

8 (2) provide the Governor, the Legislature, the judicial branch,
9 and the commissioners of all State agencies with advice and
10 recommendations on: (a) the development of policies, programs,
11 and services affecting persons who are deaf, persons who are deaf-
12 blind, and persons who are hard of hearing; (b) the appropriate use
13 of federal and State money in relation to persons who are deaf,
14 persons who are deaf-blind, and persons who are hard of hearing;
15 (c) the sufficiency of, and deficiencies evident in, the programs,
16 services, and proposed legislation reviewed by the advisory council
17 pursuant to paragraph (1) of this subsection; (d) the new laws, rules,
18 and policies that will be necessary to ensure that persons who are
19 deaf, persons who are deaf-blind, and persons who are hard of
20 hearing have equal access to available programs, services, and
21 benefits; (e) the legislation and policies that will work to improve
22 the economic and social conditions of persons who are deaf,
23 persons who are deaf-blind, and persons who are hard of hearing;
24 (f) the need for revisions to the State's affirmative action plan and
25 programs, or for any other State action that may be necessary to
26 eliminate the underemployment or unemployment of ¹[deaf, deaf-
27 blind, and hard of hearing]¹ persons ¹who are deaf, person who are
28 deaf-blind, and persons who are hard of hearing¹ in the State's
29 workforce; and (g) the problems that are faced by persons who are
30 deaf, persons who are deaf-blind, and persons who are hard of
31 hearing in the areas of education, employment, human rights,
32 human services, health, housing, and other related areas;

33 (3) assist persons who are deaf, persons who are deaf-blind,
34 persons who are hard of hearing, and the parents of minors who are
35 deaf, ¹minors who are¹ deaf-blind, or ¹minors who are¹ hard of
36 hearing, in affirmatively advocating for equal access to services ¹,¹
37 programs, and opportunities;

38 (4) work in consultation with other State and federal agencies
39 and organizations to promote economic opportunities and growth
40 for ¹[individuals who are deaf, deaf-blind, or] persons who are
41 deaf, persons who are deaf-blind, ¹[or] and¹ persons who are¹ hard
42 of hearing;

43 (5) research, formulate, and present to the Governor,
44 Legislature, and any appropriate State agencies, plans for new
45 programs, services, and policies that will serve the needs of persons
46 who are deaf, persons who are deaf-blind, and persons who are hard
47 of hearing;

1 (6) encourage and assist in the development of coordinated,
2 interdepartmental goals and objectives, and the coordination of
3 programs, services, and facilities among all State agencies, political
4 subdivisions, and private service providers as they relate to persons
5 who are deaf, persons who are deaf-blind, and persons who are hard
6 of hearing; and

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

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

18 g. The Department of Human Services shall provide
19 professional and clerical staff to the advisory council ^{1【.】} as may
20 be necessary for the advisory council's purposes, and the advisory
21 council shall be entitled to call upon the services of any State,
22 county, or municipal department, board, commission, or agency, as
23 may be available to it for its purposes.

24 h. In executing its duties under this section, the advisory
25 council shall coordinate with other State and local agencies that
26 serve persons who are deaf, ¹persons who are¹ deaf-blind, or
27 ¹persons who are¹ hard of hearing, and shall consult with
28 associations, organizations, and individuals who are knowledgeable
29 about the needs of persons who are deaf, ¹persons who are¹ deaf-
30 blind, or ¹persons who are¹ hard of hearing, and the needs of their
31 families.

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

33
34 2. This act shall take effect immediately.