

34:16-51

LEGISLATIVE HISTORY CHECKLIST

NJSA: 34:16-51

(Handicapped--sheltered
workshops--state
aid for
transportation)

LAWS OF: 1987

CHAPTER: 455

Bill No: A3111

Sponsor(s): Villane

Date Introduced: September 11, 1987

Committee: Assembly: Appropriations

Senate: Revenues, Finance & Appropriations

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: March 9, 1987

Senate: January 11, 1988

Date of Approval: January 19, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: Yes

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

P. L. 1987, CHAPTER 455, *approved January 19, 1988*

1986 Assembly No. 3111 (*Second Official Copy Reprint*)

AN ACT providing for the payment of certain transportation expenses of handicapped citizens of this State enrolled in sheltered (extended) employment programs at sheltered workshops and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Legislature finds and declares that many handicapped
2 citizens enrolled in sheltered (extended) employment programs
3 at sheltered workshops earn subminimum wages in a noncompeti-
4 tive working environment and therefore require financial assis-
5 tance so that they may meet their transportation costs.

6 The Legislature further finds and declares that the Depart-
7 ment of Labor through its Division of Vocational Rehabilitation
8 Services, in conjunction with the Division of Developmental Dis-
9 abilities in the Department of Human Services and the sheltered
10 workshops of this State, should play a major role in defraying
11 the costs of public transportation and paratransit expenses of
12 handicapped citizens enrolled in sheltered (extended) employment
13 programs at sheltered workshops.

1 2. As used in this act:

2 a. "Division" means the Division of Vocational Rehabilitation
3 Services in the Department of Labor.

4 b. "Handicapped citizen" means any individual who, by reason
5 of illness, injury, age, congenital malfunction, or other permanent

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted March 5, 1987.

**—Senate committee amendments adopted December 7, 1987.

6 or temporary incapacity or disability, is unable without special
7 facilities or special planning or design to utilize mass transporta-
8 tion facilities and services as effectively as persons who are not
9 so affected.

10 c. "Paratransit" means and includes any service, other than
11 motorbus regular route service and charter services, including,
12 but not limited to, dial-a-ride, nonregular route, jitney or com-
13 munity minibus, and shared-ride services such as vanpools, lim-
14 ousines or taxicabs which are regularly available to the public.
15 Paratransit shall not include limousine or taxicab service reserved
16 for the private and exclusive use of individual passengers.

17 d. "Public transportation" means all rail passenger service
18 operated by the New Jersey Transit Corporation, and all motorbus
19 regular route service operated pursuant to P. L. 1979, c. 150
20 (C. 27:25-1 et seq.) or operated pursuant to R. S. 48:4-3.

21 e. "Sheltered (extended) employment programs" means those
22 programs established pursuant to regulations adopted pursuant
23 to section 8 of P. L. 1955, c. 64 (C. 34:16-27).

24 f. "Sheltered workshop" means a facility possessing a valid
25 certificate to vend services to the division issued by the director
26 thereof, in compliance with the rules and regulations governing
27 vocational rehabilitation facilities.

1 3. The Commissioner of Labor is directed to establish and im-
2 plement within 120 days of the effective date of this act a pro-
3 gram to be administered by the division to defray the public
4 transportation or paratransit expenses of handicapped citizens
5 enrolled in sheltered (extended) employment programs at shel-
6 tered workshops. The program may provide for the defraying
7 of these expenses by the purchase of bus cards or other appro-
8 priate methods as prescribed by the commissioner.

1 4. The division shall annually conduct a survey to assess the
2 transportation needs of these sheltered workshops.

1 5. The Commissioner of Labor shall adopt rules and regulations
2 pursuant to the "Administrative Procedure Act," P. L. 1968,
3 c. 410 (C. 52:14B-1 et seq.) to effectuate the purposes of this act.

1 6. There is appropriated to the Department of Labor from the
2 ****[General]**** *revenues deposited in the Casino Revenue* **** Fund**
3 *established pursuant to section 145 of P. L. 1977, c. 110 (C.*
4 *5:12-145)* **** the sum of *[\$720,000.00]*** ****[*\$1,500,000.00*]****
5 ****720,000.00**** to effectuate the purposes and provisions of this
6 act. ****[*Of the amount appropriated hereinabove, the Director of**
7 *the Division of Budget and Accounting may transfer to the Division*

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8 *of Developmental Disabilities in the Department of Human Ser-*
9 *vices any moneys necessary to defray costs of public transportation*
10 *and paratransit expenses of handicapped citizens receiving services*
11 *from the Division of Developmental Disabilities.*]** In each sub-*
12 *sequent fiscal year there shall be appropriated a sum sufficient to*
13 *effectuate the purposes and provisions of this act.*

1 7. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to provide handicapped citizens of this State enrolled in sheltered (extended) employment at sheltered workshops with financial assistance in meeting their public transportation and paratransit expenses. The Commissioner of Labor is authorized and directed to establish such an assistance program to be administered by the Division of Vocational Rehabilitation Services. The sum of \$720,000.00 is appropriated.

Classes of clients at sheltered workshops other than those enrolled in the sheltered (extended) employment program as defined at N. J. A. C. 12:51-6.1 currently have their transportation costs defrayed by public funds. This bill would extend to the approximately 600 extended employment clients financial assistance in meeting their transportation costs and thus permit them to remain in this valuable program without suffering financial hardship.

TRANSPORTATION—GENERAL

Provides handicapped citizens of this State enrolled in sheltered (extended) employment at sheltered workshops with financial assistance in meeting their public transportation and paratransit expenses, appropriates \$720,000.00.

43,111 (1987)

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ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3111

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 5, 1987

The Assembly Appropriations Committee favorably reports Assembly Bill No. 3111 with amendments.

Assembly Bill No. 3111, as amended, would provide financial assistance to handicapped citizens of the State engaged in employment at a sheltered workshop. The financial assistance, to be administered by the Division of Vocational Rehabilitation Services, would be used to help those persons defray the costs for public transportation and paratransit expenses. The Division of Vocational Rehabilitation Services shall conduct an annual survey to assess the transportation needs of these sheltered workshops.

FISCAL IMPACT:

As amended, there is an appropriation of \$1,500,000.00 from the General Fund to the Department of Labor, however, part of which, as necessary, may be transferred to the Division of Developmental Disabilities in the Department of Human Services to defray costs for eligible clients. There are several hundred possible clients that would need this assistance to allow them to continue at the sheltered workshops without added financial hardship.

COMMITTEE AMENDMENTS:

The committee amended the bill to increase the appropriation to \$1,500,000.00 to include the visually impaired and legally blind clients of the Department of Human Services.

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SENATE REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3111

[OFFICIAL COPY REPRINT]
with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 1987

The Senate Revenue, Finance and Appropriations Committee reported Assembly Bill No. 3111 OCR favorably with committee amendments.

Assembly Bill No. 3111 OCR, as amended, appropriates \$720,000.00 to the Department of Labor to provide assistance for transportation costs of handicapped citizens of the State engaged in employment at a sheltered workshop. The financial assistance, to be administered by the Division of Vocational Rehabilitation Services, would be used to help those persons defray the costs for public transportation and paratransit expenses. The Division of Vocational Rehabilitation Services shall conduct an annual survey to assess the transportation needs of these sheltered workshops.

COMMITTEE AMENDMENTS:

The committee amendments reduce the amount of the appropriation from \$1,500,000.00 to \$720,000.00 and provide that the appropriation shall be from the Casino Revenue Fund. In addition, the amendments delete the provisions that the Director of the Division of Budget and Accounting may transfer a portion of the appropriation to the Department of Human Services for the transportation of its handicapped clients to sheltered workshops. The bill, as amended, is identical to Senate Bill No. 1699 OCR.

FISCAL IMPACT:

This bill appropriates \$720,000.00 from the Casino Revenue Fund to the Department of Labor to provide for the transportation costs of handicapped citizens employed at sheltered workshops. The department currently does not fund the transportation costs of its clients.

FISCAL NOTE TO
ASSEMBLY, No. 3111

[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: OCTOBER 16, 1987

Assembly Bill No. 3111 OCR of 1986 appropriates \$1.5 million to the Department of Labor for the purpose of defraying the public and paratransit transportation costs of developmentally disabled persons who are employed at sheltered workshops under the State's Extended Employment Program (EEP). The Division of Vocational Rehabilitation Services (DVRS) would be responsible for developing and administering this program, which would also be applicable to EEP enrollees referred by the Department of Human Services' Division of Developmental Disabilities (DDD).

The DVRS states that approximately 600 of its 2300 EEP clients in FY 1987 would be in need of the transportation assistance provided by the bill. It does not, however, estimate the annual transportation expenses per client nor does it indicate whether the bill's original appropriation of \$720,000.00 would be sufficient to meet the total costs of the affected clients.

The DDD states that all of its 573 EEP clients in 1987 would be in need of this financial assistance, the cost of which it estimated at approximately \$1,400.00 per client annually. Using the same cost factor for the 600 DVRS clients, the DDD estimates total transportation costs for all affected EEP enrollees as follows (using a 5% annual inflation factor):

<i>FY 1987</i>	<i>FY 1988</i>	<i>FY 1989</i>
\$1,642,000	\$1,724,000	\$1,812,000

The DDD notes that its per capita cost estimate was based on the fact that its clients generally incur higher transportation costs than DVRS clients because DDD clients are more likely to require specialized types of transportation (i.e. paratransit) services.

In reviewing the DDD's estimates, the Office of Management and Budget (OMB) states that the DDD has been funding the transportation costs of its EEP clients for the last several years out of its adult activities training accounts. The OMB recommends that this subsidy

continue, thereby reducing the total costs listed above by the amount attributable to DDD clients. The revised amounts (including a 5% inflation factor) would be as follows:

<i>FY 1987</i>	<i>FY 1988</i>	<i>FY 1989</i>
\$840,000	\$882,000	\$927,000

The Office of Legislative Services concurs with the DDD's estimate of annual transportation costs per DDD client, but notes that the annual transportation costs per DVRS client would probably be less due to their greater utilization of regular public transit services which, in addition, offer State-subsidized fare discounts to disabled persons. There is not enough information available at this time, however, to determine the average transportation cost per DVRS client. A needs study, pursuant to section 4 of the bill, would first have to be conducted.

Given these offsetting factors, the bill's amended appropriation of \$1.5 million would appear to be sufficient to meet the current needs of both the DDD and DVRS clients. If DDD clients are excluded, as suggested by OMB, then the appropriation would overfund the program by at least \$660,000.00 (based on the DDD's per capita cost estimate).

This fiscal note has been prepared pursuant to P. L. 1980, c. 67.
