

30:6-24

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 30:6-24

(Commodities &
Services Council-
-change
membership)

LAWS OF: 1991

CHAPTER: 147

Bill No: S921

Sponsor(s): Cowan

Date Introduced: Pre-filed

Committee: Assembly: Health and Human Services

Senate: Institutions, Health & Welfare

Amended during passage: No

Date of Passage: Assembly: April 15, 1991

Senate: March 8, 1990

Date of Approval: May 28, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

P.L.1991, CHAPTER 147, approved May 28, 1991

1990 Senate No. 921

1 AN ACT concerning the Commodities and Services Council in the
2 Department of Human Services and amending and
3 supplementing P.L.1981, c.488.

4
5 ~~BE-IT ENACTED by the Senate and General Assembly of the~~
6 ~~State of New Jersey:~~

7 1. The title of P.L.1981, c.488 is amended to read as follows:
8 AN ACT establishing a [commodities and services council]
9 Commodities and Services Council for blind and other severely
10 handicapped persons and supplementing Title 30 of the Revised
11 Statutes.

12 (cf: P.L.1981, c.488, title)

13 2. Section 2 of P.L.1981, c.488 (C.30:6-24) is amended to read
14 as follows:

15 2. As used in this act:

16 a. "Blind person" means a person whose vision in [his] the
17 better eye with proper correction does not exceed 20/200 or who
18 has a field defect in [his] the better eye with proper correction
19 which contracts the peripheral field so that the diameter of the
20 visual field subtends an angle no greater than 20 degrees.

21 b. "Central [nonprofit agency] Nonprofit Agency" means [an]
22 the agency designated by the commissioner pursuant to section 6
23 of this act.

24 c. "Commissioner" means ~~the~~ Commissioner of the
25 Department of Human Services.

26 d. "Rehabilitation facility" means a rehabilitation facility
27 [approved by the Division of Vocational Rehabilitation Services
28 or the Commission for the Blind and Visually Impaired] located in
29 this State which qualifies as a charitable organization or
30 institution under the provisions of section 501(c)(3) of the Internal
31 Revenue Code and is conducted on a nonprofit basis for the
32 purpose of carrying out a recognized program of rehabilitation
33 for individuals whose earning capacity is impaired by age or
34 physical or mental deficiency or injury and of providing these
35 individuals with remunerative employment or other occupational
36 rehabilitative activity of an educational or therapeutic nature as
37 defined in section 525.1 et seq. of the regulations adopted
38 pursuant to the federal "Fair Labor Standards Act of 1938," 29

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.

1 U.S.C. § 201 et seq. and related codes, and which is engaged in
2 the production of commodities or the provision of services in
3 connection with which not less than 75% of the total hours of
4 direct labor is performed by blind or other severely handicapped
5 persons excluding any hours of supervision, administration,
6 inspection or shipping.

7 e. "Severely handicapped person" means a person with a
8 physical, mental or emotional disability, other than blindness but
9 including a visual impairment, which is a substantial handicap to
10 employment and prevents that person from currently engaging in
11 normal competitive employment.

12 f. "State agency" means an agency of State government.

13 (cf: P.L.1981, c.488, s.2)

14 3. Section 3 of P.L.1981, c.488 (C.30:6-25) is amended to read
15 as follows:

16 3. There is established in the Department of Human Services,
17 the Commodities and Services Council for blind and other
18 severely handicapped persons. The council shall consist of the
19 Director of the Division of Vocational Rehabilitation Services;
20 the Director of the Division of Purchase and Property; the [chief]
21 Chief of the Bureau of State Use Industries; the [President of the
22 New Jersey Business and Industry Association; the President of
23 the New Jersey AFL-CIO] the Director of the Division of
24 Development for Small Business and Women and Minority
25 Businesses in the Department of Commerce, Energy and
26 Economic Development; the Director of the Division of
27 Developmental Disabilities in the Department of Human Services;
28 the Executive Director of the Commission for the Blind and
29 Visually Impaired; the President of the New Jersey Association of
30 Rehabilitation Facilities; or their designees; three citizens as
31 at-large members, at least one of whom shall be a blind person,
32 and at least one of whom shall represent the [general public]
33 private business sector. The at-large members shall be appointed
34 by the Governor, with the advice and consent of the Senate, for
35 terms of 3 years, except that of the first at-large members
36 appointed, one shall be appointed for a term of 3 years, one for a
37 term of 2 years, and one for a term of 1 year.

38 (cf: P.L.1981, c.488, s.3)

39 4. Section 5 of P.L.1981, c.488 (C.30:6-27) is amended to read
40 as follows:

41 5. The duties of the council shall include:

42 a. Developing[, in conjunction with the Division of Purchase
43 and Property in the Department of the Treasury] through the
44 Central Nonprofit Agency a list of commodities and services
45 which shall be set aside for purchase through approved
46 rehabilitation facilities and establishing a fair market price for
47 those commodities and services.

48 b. Recommending to the commissioner [a central nonprofit] an

1 agency to be designated as the Central Nonprofit Agency.

2 c. Encouraging the purchase of commodities and services of
3 blind and other severely handicapped persons by political
4 subdivisions of the State.

5 (cf: P.L.1981, c.488, s.5)

6 5. Section 6 of P.L.1981, c.488 (C.30:6-28) is amended to read
7 as follows:

8 6. The commissioner shall designate a nonprofit agency to
9 facilitate the distribution of orders received from various State
10 agencies for commodities and services on the [State procurement
11 list] set-aside list among approved rehabilitation facilities and to
12 insure the effective and efficient administration of this act.

13 (cf: P.L.1981, c.488, s.6)

14 6. Section 7 of P.L.1981, c.488 (C.30:6-29) is amended to read
15 as follows:

16 7. The functions and operations of the [central nonprofit
17 agency] Central Nonprofit Agency shall include but not be limited
18 to the following:

19 a. Receiving and processing all applications from approved
20 rehabilitation facilities for the setting aside of specific
21 commodities and services to be provided by the applying facilities;

22 b. Reviewing and certifying the capabilities of an applying
23 facility to provide a specific commodity or service in keeping
24 with quality standards, quantity and timely delivery requirements;

25 c. Preparing a detailed annual report for submission to the
26 council;

27 d. Establishing and publishing a list of commodities and
28 services provided by approved facilities, with timely revisions for
29 distribution to all purchasing agents of the State and its political
30 subdivisions.

31 (cf: P.L.1981, c.488, s.7)

32 ~~7. Section 8 of P.L.1981, c.488 (C.30:6-30) is amended to read~~
33 as follows:

34 8. State agencies shall procure through the [central nonprofit
35 agency] Central Nonprofit Agency those commodities and
36 services which have been set aside for purchase from approved
37 rehabilitation facilities.

38 (cf: P.L.1981, c.488, s.8)

39 8. (New section) This act shall be known and may be cited as
40 the "Rehabilitation Facilities Set-Aside Act."

41 9. This act shall take effect immediately.

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HUMAN SERVICES

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Changes membership of Commodities and Services Council.

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42 STATEMENT 43

44 This bill changes the membership of the Commodities and
45 Services Council for blind and other severely handicapped persons
46 established pursuant to P.L.1981, c.488 (C.30:6-23 et seq.) to
47 include the Director of the Division of Development for Small
48 Business and Women and Minority Businesses in the Department
49 of Commerce, Energy and Economic Development and the

1 Director of the Division of Developmental Disabilities in the
2 Department of Human Services. The President of the New Jersey
3 Business and Industry Association and the President of the New
4 Jersey AFL-CIO are deleted as members of the council. The
5 latter two organizations have not demonstrated an interest in the
6 proceedings of the council to date and have indicated no
7 objection to being removed from the council.

8 In addition, the bill broadens the definition of rehabilitation
9 facility in P.L.1981, c.488 in order to expand eligibility for the
10 set-aside program to include many nonprofit facilities that are
11 currently excluded from the program, and thereby fulfill the
12 intent of the original law to provide training and employment
13 opportunities to persons with disabilities in nonprofit vocational
14 rehabilitation facilities.

15 The bill provides that P.L.1981, c.488 shall be known
16 henceforth as the "Rehabilitation Facilities Set-Aside Act," and
17 makes other changes of a technical nature in the original law.

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20 HUMAN SERVICES

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22 Changes membership of Commodities and Services Council.

ASSEMBLY HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 921

STATE OF NEW JERSEY

DATED: OCTOBER 15, 1990

The Assembly Health and Human Services Committee favorably reports Senate Bill No. 921.

This bill changes the membership of the Commodities and Services Council for blind and other severely handicapped persons established pursuant to P.L.1981, c.488 (C.30:6-23 et seq.) to include the Director of the Division of Development for Small Business and Women and Minority Businesses in the Department of Commerce, Energy and Economic Development and the Director of the Division of Developmental Disabilities in the Department of Human Services. The President of the New Jersey Business and Industry Association and the President of the New Jersey AFL-CIO are deleted as members of the council. The latter two organizations have not demonstrated an interest in the proceedings of the council to date and have indicated no objection to being removed from the council.

In addition, the bill broadens the definition of rehabilitation facility in P.L.1981, c.488 in order to expand eligibility for the set-aside program to include many nonprofit facilities that are currently excluded from the program, and thereby fulfill the intent of the original law to provide training and employment opportunities to persons with disabilities in nonprofit vocational rehabilitation facilities.

The bill provides that P.L.1981, c.488 shall be known henceforth as the "Rehabilitation Facilities Set-Aside Act," and makes other technical changes in the original law.

This bill is identical to Senate Bill No. 3625 of 1989 (Cowan) and Assembly Bill No. 5029 of 1989 (Crecco). Both bills were reported by the Assembly Higher Education and Regulated Professions Committee during the 1988-89 session but did not advance beyond second reading in the Assembly.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

SENATE, No. 921

STATE OF NEW JERSEY

DATED: JANUARY 18, 1990

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 921.

This bill changes the membership of the Commodities and Services Council for blind and other severely handicapped persons established pursuant to P.L.1981, c.488 (C.30:6-23 et seq.) to include the Director of the Division of Development for Small Business and Women and Minority Businesses in the Department of Commerce, Energy and Economic Development and the Director of the Division of Developmental Disabilities in the Department of Human Services. The President of the New Jersey Business and Industry Association and the President of the New Jersey AFL-CIO are deleted as members of the council. The latter two organizations have not demonstrated an interest in the proceedings of the council to date and have indicated no objection to being removed from the council.

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The bill provides that P.L.1981, c.488 shall be known henceforth as the "Rehabilitation Facilities Set-Aside Act," and makes other changes of a technical nature in the original law.

This bill was prefiled for introduction in the 1990-91 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.