

A MEMORIAL

REQUESTING THE GOVERNOR'S COMMITTEE ON CONCERNS OF THE HANDICAPPED TO EXAMINE THE RECENT UNITED STATES SUPREME COURT DECISION LIMITING THE APPLICATION OF THE AMERICANS WITH DISABILITIES ACT OF 1990.

WHEREAS, the federal Americans with Disabilities Act of 1990 has helped millions of American citizens with disabilities to expand their potential to live as productive members of society; and

WHEREAS, with the impetus of the federal act, substantial gains have been made for persons with disabilities in employment, education and independent living; and

WHEREAS, in the recent *University of Alabama v. Garrett* decision the United States supreme court may have invalidated some applications of the Americans with Disabilities Act of 1990 to certain state government efforts to assist persons with disabilities; and

WHEREAS, it has been the policy of the state of New Mexico to support employment of persons with disabilities;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the governor's committee on concerns of the handicapped lead an interagency effort to examine the *Garrett* decision and its

impact and implications for state programs for persons with disabilities; and

BE IT FURTHER RESOLVED that the vocational rehabilitation division of the state department of public education, the office of the attorney general and the human rights commission all participate in regular discussions led by the governor's committee on concerns of the handicapped to examine the *Garrett* decision; and

BE IT FURTHER RESOLVED that the governor's committee on concerns of the handicapped report its findings and any legislative recommendations to the courts and criminal justice committee at its October 2001 meeting; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the respective agencies listed and to the courts and criminal justice committee.