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HOUSE MEMORIAL 19

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Danice R. Picraux

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**

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1 1990 to certain state government efforts to assist persons
2 with disabilities; and

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

5 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
6 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the governor's
7 committee on concerns of the handicapped lead an interagency
8 effort to examine the *Garrett* decision and its impact and
9 implications for state programs for persons with disabilities;
10 and

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

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

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