

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB600)

Received: 10/17/2003

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Glenn Grothman (608) 264-8486

By/Representing: Robert Conlin

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Mental Health - miscellaneous

Extra Copies: JTK

Submit via email: YES

Requester's email: Rep.Grothman@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Delete electors with mental illness from groups protection and advocacy agency must assist in electoral process

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

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1?	dkennedy	1/20 jld	Jb 10/20	Jb ch 10/20			

FE Sent For:

<END>

"Keep American's Vote Act of 2002"

42 USC 15461

1 **SEC. 283. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated for grants under this part \$10,000,000 for fiscal
4 year 2003.

P + A Agencies
42 USC 6012
42 USC 10801-
10851

5 (b) AVAILABILITY OF FUNDS.—Amounts appro-
6 priated pursuant to the authorization under this section
7 shall remain available, without fiscal year limitation, until
8 expended.

9 **PART 5—PROTECTION AND ADVOCACY SYSTEMS**

10 **SEC. 291. PAYMENTS FOR PROTECTION AND ADVOCACY**
11 **SYSTEMS.**

12 (a) IN GENERAL.—In addition to any other payments
13 made under this subtitle, the Secretary of Health and
14 Human Services shall pay the protection and advocacy
15 system (as defined in section 102 of the Developmental
16 Disabilities Assistance and Bill of Rights Act of 2000 (42
17 U.S.C. 15002)) of each State to ensure full participation
18 in the electoral process for individuals with disabilities, in-
19 cluding registering to vote, casting a vote and accessing
20 polling places. In providing such services, protection and
21 advocacy systems shall have the same general authorities
22 as they are afforded under subtitle C of title I of the De-
23 velopmental Disabilities Assistance and Bill of Rights Act
24 of 2000 (42 U.S.C. 15041 et seq.).

25 (b) MINIMUM GRANT AMOUNT.—The minimum
26 amount of each grant to a protection and advocacy system



1 shall be determined and allocated as set forth in sub-
2 sections (c)(3), (c)(4), (c)(5), (e), and (g) of section 509
3 of the Rehabilitation Act of 1973 (29 U.S.C. 794e), except
4 that the amount of the grants to systems referred to in
5 subsections (c)(3)(B) and (c)(4)(B) of that section shall
6 be not less than \$70,000 and \$35,000, respectively.

7 (c) TRAINING AND TECHNICAL ASSISTANCE PRO-
8 GRAM.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date on which the initial appropriation of funds
11 for a fiscal year is made pursuant to the authoriza-
12 tion under section 292, the Secretary shall set aside
13 7 percent of the amount appropriated under such
14 section and use such portion to make payments to
15 eligible entities to provide training and technical as-
16 sistance with respect to the activities carried out
17 under this section.

18 (2) USE OF FUNDS.—A recipient of a payment
19 under this subsection may use the payment to sup-
20 port training in the use of voting systems and tech-
21 nologies, and to demonstrate and evaluate the use of
22 such systems and technologies, by individuals with
23 disabilities (including blindness) in order to assess
24 the availability and use of such systems and tech-
25 nologies for such individuals. At least 1 of the recipi-



1 ents under this subsection shall use the payment to
2 provide training and technical assistance for non-
3 visual access.

4 (3) **ELIGIBILITY.**—An entity is eligible to re-
5 ceive a payment under this subsection if the entity—

6 (A) is a public or private nonprofit entity
7 with demonstrated experience in voting issues
8 for individuals with disabilities;

9 (B) is governed by a board with respect to
10 which the majority of its members are individ-
11 uals with disabilities or family members of such
12 individuals or individuals who are blind; and

13 (C) submits to the Secretary an application
14 at such time, in such manner, and containing
15 such information as the Secretary may require.

16 **SEC. 292. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) **IN GENERAL.**—In addition to any other amounts
18 authorized to be appropriated under this subtitle, there
19 are authorized to be appropriated \$10,000,000 for each
20 of the fiscal years 2003, 2004, 2005, and 2006, and for
21 each subsequent fiscal year such sums as may be nec-
22 essary, for the purpose of making payments under section
23 291(a); except that none of the funds provided by this sub-
24 section shall be used to initiate or otherwise participate
25 in any litigation related to election-related disability ac-



1 cess, notwithstanding the general authorities that the pro-
2 tection and advocacy systems are otherwise afforded under
3 subtitle C of title I of the Developmental Disabilities As-
4 sistance and Bill of Rights Act of 2000 (42 U.S.C. 15041
5 et seq.).

6 (b) AVAILABILITY.—Any amounts appropriated pur-
7 suant to the authority of this section shall remain avail-
8 able until expended.

9 **PART 6—NATIONAL STUDENT AND PARENT**

10 **MOCK ELECTION**

11 **SEC. 295. NATIONAL STUDENT AND PARENT MOCK ELEC-**
12 **TION.**

13 (a) IN GENERAL.—The Election Assistance Commis-
14 sion is authorized to award grants to the National Student
15 and Parent Mock Election, a national nonprofit, non-
16 partisan organization that works to promote voter partici-
17 pation in American elections to enable it to carry out voter
18 education activities for students and their parents. Such
19 activities may—

20 (1) include simulated national elections at least
21 5 days before the actual election that permit partici-
22 pation by students and parents from each of the 50
23 States in the United States, its territories, the Dis-
24 trict of Columbia, and United States schools over-
25 seas; and



2003

Date (time) needed TUES 10:00

LRBa 1245 / 1

AMENDMENT

D-NOTE

DAK : jld :

See form AMENDMENTS — COMPONENTS & ITEMS.

~~S~~ A AMENDMENT

~~TO S A AMENDMENT~~ 2 (LRBa 2 k)₂

~~TO S A SUBSTITUTE AMENDMENT~~ 2 (LRBs 2 k)₂

TO 2003 ~~SB SJR SR~~ AB ~~AJR AR~~ 600 (LRB 2 k)

At the locations indicated, amend the bill as follows:
(fill ONLY if "engrossed" or "as shown by")

#. Page 70, line 2: delete "mental illness or" ✓

#. Page, line: (End)

#. Page, line:

#. Page, line: D-NOTE

#. Page, line:

D-NOTE

To Representative Grothman:

* Section 291 of the "Help Americans Vote Act of 2002"

refers to "persons with disabilities" in outlining requirements for payment to protection and

advocacy agencies to ensure full participation

in the electoral process. The enabling federal

statutes for protection and advocacy agencies, however,

refer to "persons with developmental disabilities"

* and "persons with mental illness".) Therefore,

* it appears that the "Help Americans Vote Act of

2002" was referring only to persons with

developmental disabilities; hence, this

amendment, although it is possible that more

eligible voters may be found among the

population ^{of} persons with mental illness.

DAK

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1245/1dn
DAK:jld:jf

October 20, 2003

To Representative Grothman:

Section 291 of the "Help Americans Vote Act of 2002" refers to "persons with disabilities" in outlining requirements for payment to protection and advocacy agencies to ensure full participation in the electoral process. The enabling federal statutes for protection and advocacy agencies, however, refer to "persons with developmental disabilities" and "persons with mental illness." Therefore, it appears that the "Help Americans Vote Act of 2002" was referring only to persons with developmental disabilities; hence, this amendment, although it is possible that more eligible voters may be found among the population of persons with mental illness.

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