

2019 DRAFTING REQUEST

Bill

For: **Administration-Budget** Drafter: **mkunkel**
 By: **Mott** Secondary Drafters:
 Date: **1/25/2019** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email:
 Carbon copy (CC) to: **DOASBOSStatLanguage@wisconsin.gov**
aaron.gary@legis.wisconsin.gov
Amanda.Mott@wisconsin.gov

Pre Topic:

DOA:.....Mott, BB0222 -

Topic:

References to handicapped individuals

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 1/25/2019	kfollett 1/25/2019			
/P1	mkunkel 2/7/2019	kfollett 2/8/2019	dwalker 1/25/2019		
/P2			lparisi 2/8/2019		

FE Sent For: **<END>**

Kunkel, Mark

From: Gary, Aaron
Sent: Thursday, January 24, 2019 3:56 PM
To: Kunkel, Mark
Subject: RE: Statutory Language Drafting Request - 2019-21

Sounds good

From: Kunkel, Mark <Mark.Kunkel@legis.wisconsin.gov>
Sent: Thursday, January 24, 2019 3:54 PM
To: Gary, Aaron <Aaron.Gary@legis.wisconsin.gov>
Subject: FW: Statutory Language Drafting Request - 2019-21

I can this one because you took the other one that came in today.

From: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Sent: Thursday, January 24, 2019 1:54 PM
To: Gary, Aaron <Aaron.Gary@legis.wisconsin.gov>; Kunkel, Mark <Mark.Kunkel@legis.wisconsin.gov>
Subject: FW: Statutory Language Drafting Request - 2019-21

From: Mott, Amanda L - DOA <AmandaL.Mott@wisconsin.gov>
Sent: Thursday, January 24, 2019 1:52 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>; Mott, Amanda L - DOA <AmandaL.Mott@wisconsin.gov>
Subject: Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Change "handicapped" to "impaired"

Tracking Code: BB0222

SBO Team: EWD

SBO Analyst: Mott, Amanda
Phone: 608-266-2843
E-mail: amandaL.mott@wisconsin.gov

Agency Acronym: 235

Agency Number: 235

Priority: Low

Intent:

In Wis. Stat. ch. 39, replace the word "handicapped" with "impaired" anywhere it appears in the chapter.

Attachments: False

Please send completed drafts to SBOSStatlanguage@spmail.enterprise.wistate.us



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1640/7
MDK:...

DOA:.....Mott, BB0222 - Change "handicapped" to "impaired"

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

The bill substitutes "impaired" for "handicapped" in statutes administered by HEAB.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 **SECTION 1.** 39.36 (title) of the statutes is amended to read:

3 **39.36 (title) Repayment of stipends for teachers of the handicapped**
4 **impaired.**

History: 1975 c. 189, 422; 1985 a. 29; 1993 a. 16; 1995 a. 27; 1997 a. 27.

****NOTE: Instead of amending the above title, do you want to repeal s. 39.36 because it is outdated? Here is the text of the statute: "Notwithstanding s. 39.36, 1969 stats., s. 39.37 (3) (b), 1969 stats., and s. 39.36, 1991 stats., the board shall terminate on August 12, 1993, any obligation to repay a stipend awarded under this section."

Kunkel, Mark

From: Mott, Amanda L - DOA
Sent: Thursday, February 07, 2019 3:41 PM
To: Kunkel, Mark
Cc: Hynek, Sara - DOA
Subject: 19-1640_P1

Good Afternoon Mark,

In responding to your notes on this draft we have the following responses. For your first question related to repealing rather than amending, we want to leave it alone as there are other ones that are similarly obsolete, but we did not brief the Governor on. So, at this point the intent is to leave it. We do, however, also need to change the language ins s. 20.235(1)(fj) from handicapped to impaired.

Second, yes, we would also like to revise the references in Ch. 38, but instead use disabled or disability.

Please let us know if you have any questions.

Best,
Mandy

Amanda Mott
Executive Policy & Budget Analyst
Department of Administration
Phone: 608-266-2843



DOA:.....Mott, BB0222 - Change handicapped to impaired

*References to
individuals*

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

*refers to impaired individuals
or individuals with
disabilities,
instead of
handicapped
individuals,*

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

The bill substitutes "impaired" for "handicapped" in statutes administered by HEAB. *and the CS Board*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 39.36 (title) of the statutes is amended to read:

3 **39.36 (title) Repayment of stipends for teachers of the handicapped**
4 **impaired.**

***NOTE: Instead of amending the above title, do you want to repeal s. 39.36 because it is outdated? Here is the text of the statute: "Notwithstanding s. 39.36, 1969 stats., s. 39.37 (3) (b), 1969 stats., and s. 39.36, 1991 stats., the board shall terminate on August 12, 1993, any obligation to repay a stipend awarded under this section."

***NOTE: There are three references to "handicapped" in ch. 38 (technical colleges) and no references in ch. 36 (UW System). Do you want to revise the references in ch. 38?

INSERT 1-2

individuals with disabilities

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INSERT 1-2:

SECTION 1. 20.235 (1) (fj) of the statutes is amended to read:

20.235 (1) (fj) *Handicapped Impaired student grants*. Biennially, the amounts in the schedule for handicapped impaired student grants under s. 39.435 (5).

History: 1971 c. 44; 1971 c. 125 ss. 62, 63, 64, 65, 66, 522 (1); 1971 c. 211; 1973 c. 90, 243, 333; 1975 c. 39, 118, 189, 199, 224; 1977 c. 29, 418; 1979 c. 34 ss. 136 to 155, 2102 (22) (a); 1979 c. 175, 221; 1981 c. 20 ss. 156 to 162p, 2202 (22) (a); 1983 a. 27; 1985 a. 29, 120; 1987 a. 27, 399; 1987 a. 403 s. 256; 1989 a. 31, 336; 1991 a. 39, 269; 1993 a. 16, 399; 1995 a. 27 ss. 558 to 563, 9127 (1); 1997 a. 27 s. 236 to 242, 253, 267, 268; 1999 a. 9, 144; 2001 a. 16, 109; 2003 a. 33; 2005 a. 25; 2007 a. 20; 2009 a. 28; 2011 a. 32; 2013 a. 20, 60, 128, 330; 2015 a. 55, 208; 2017 a. 59, 206.

SECTION 2. 38.001 (3) (e) of the statutes is amended to read:

38.001 (3) (e) Provide education and services which address barriers created by stereotyping and discriminating and assist minorities, women and the ~~handicapped disabled or~~ disadvantaged to participate in the work force and the full range of technical college programs and activities.

History: 1971 c. 100, 125, 211; 1981 c. 269, 391; 1983 a. 379; 1991 a. 39; 1993 a. 399; 2009 a. 302.

SECTION 3. 38.27 (1) (a) of the statutes is amended to read:

38.27 (1) (a) The creation or expansion of adult high school, adult basic education and English as a 2nd language courses. The board shall give priority to courses serving minority, unemployed, ^{or} disadvantaged ~~or handicapped disabled~~ students.

History: 1985 a. 29; 1987 a. 399, 419; 1989 a. 31; 1991 a. 39; 1993 a. 16; 1995 a. 27; 1997 a. 27; 2001 a. 16; 2013 a. 20.

SECTION 4. 38.38 of the statutes is amended to read:

38.38 Services for handicapped ~~disabled~~ students. Annually the board may award a grant to each district board, from the appropriation under s. 20.292 (1) (f), to assist in funding transitional services for ~~handicapped disabled~~ students. Each district board shall contribute matching funds equal to 25 percent of the amount awarded.

History: 1991 a. 39; 1997 a. 27; 2013 a. 20.

students with disabilities or

with disabilities

with disabilities



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1640/P2
MDK:kjf

DOA:.....Mott, BB0222 - References to handicapped individuals

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

This bill refers to impaired individuals or individuals with disabilities, instead of handicapped individuals, in statutes administered by HEAB and the TCS Board.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.235 (1) (f) of the statutes is amended to read:

3 20.235 (1) (f) *Handicapped Impaired student grants*. Biennially, the amounts
4 in the schedule for ~~handicapped~~ impaired student grants under s. 39.435 (5).

5 SECTION 2. 38.001 (3) (e) of the statutes is amended to read:

6 38.001 (3) (e) Provide education and services which address barriers created
7 by stereotyping and discriminating and assist individuals with disabilities.

1 minorities, women, and the ~~handieapped~~ or disadvantaged to participate in the work
2 force and the full range of technical college programs and activities.

3 **SECTION 3.** 38.27 (1) (a) of the statutes is amended to read:

4 38.27 (1) (a) The creation or expansion of adult high school, adult basic
5 education and English as a 2nd language courses. The board shall give priority to
6 courses serving students with disabilities or minority, unemployed, or
7 disadvantaged or ~~handicapped~~ students.

8 **SECTION 4.** 38.38 of the statutes is amended to read:

9 **38.38 Services for handicapped students with disabilities.** Annually the
10 board may award a grant to each district board, from the appropriation under s.
11 20.292 (1) (f), to assist in funding transitional services for handicapped students with
12 disabilities. Each district board shall contribute matching funds equal to 25 percent
13 of the amount awarded.

14 **SECTION 5.** 39.36 (title) of the statutes is amended to read:

15 **39.36 (title) Repayment of stipends for teachers of the handicapped**
16 **impaired.**

17 **SECTION 6.** 39.435 (5) of the statutes is amended to read:

18 39.435 (5) The board shall ensure that grants under this section are made
19 available to students attending private or public institutions in this state who are
20 deaf or hard of hearing or visually ~~handicapped~~ impaired and who demonstrate need.
21 Grants may also be made available to such ~~handicapped~~ students attending private
22 or public institutions in other states under criteria established by the board. In
23 determining the financial need of these students special consideration shall be given
24 to their unique and unusual costs.

25 (END)