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Details:

(FORM UPDATED: 07/12/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2005-06

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Public Health
(AC-PH)**

COMMITTEE NOTICES ...

- *Committee Reports ... CR*
- *Executive Sessions ... ES*
- *Public Hearings ... PH*
- *Record of Comm. Proceedings ... RCP*

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- *Appointments ... Appt*
- *Clearinghouse Rules ... CRule*
- *Hearing Records ... bills and resolutions*
(ab = Assembly Bill) (ar = Assembly Resolution) (ajr = Assembly Joint Resolution)
(sb = Senate Bill) (sr = Senate Resolution) (sfr = Senate Joint Resolution)
- *Miscellaneous ... Misc*

Vote Record Committee on Public Health

Date: 10/19/05
 Moved by: ~~Underheim~~ McCormick Seconded by: Underheim

AB _____ SB 157 Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:
 Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative J.A. Hines, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Gregg Underheim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative John Townsend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Stephen Freese	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Terri McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Sheldon Wasserman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Tamara Grigsby	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Charles Benedict	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>8</u>	<u>0</u>	_____	_____





MARK MILLER
WISCONSIN STATE SENATOR

P.O. Box 7882 Madison, WI 53707-7882

May 10, 2005

Representative J. A. Hines, Chair
Assembly Public Health Committee
Room 10 West, State Capitol
Madison, WI 53708

Dear Chairman Hines:

I am writing to respectfully request that the Assembly Public Health Committee schedule a public hearing on Senate Bill 157, relating to the full and equal enjoyment of a public place of accommodation by a person with a disability who is accompanied by a service animal.

On April 19, 2005, the Senate Committee on Health, Children, Families, Aging & Long Term Care approved SB 157 on a 5-0 vote. The State Senate approved this bi-partisan bill on a voice vote on May 5th. Last session, identical legislation (AB 332) was approved unanimously by the Assembly Health Committee and the full Assembly.

SB 157 simply conforms Wisconsin law with the Federal Americans with Disabilities Act (ADA). Persons with disabilities will be given protection from being asked in a public setting to identify and even prove their disability. This bill also recognizes that dogs are no longer the only animals used to provide important services to the disabled.

SB 157 will protect both persons with disabilities and business owners, clearing up the confusion between differing state and federal laws. I respectfully request that you schedule this bill a public hearing and committee vote at your earliest convenience.

Thank you in advance for your consideration of this request.

Sincerely,

Mark Miller
State Senator
16th Senate District





REPRESENTATIVE CHUCK BENEDICT
45TH ASSEMBLY DISTRICT

STATE CAPITOL
P.O. BOX 8952
MADISON, WI 53708

(608) 266-9967
TOLL-FREE: 1-888-534-0045
FAX: (608) 282-3645
E-MAIL: REP.BENEDICT@LEGIS.STATE.WI.US

May 18, 2005

Rep. J.A. Hines, Chair
Assembly Committee on Public Health
Room 10 West
State Capitol
Hand Delivered

Dear Rep. Hines:

I am contacting you today to request a public hearing be held as soon as possible on Senate Bill 157 relating to service animals. SB 157 was recently sent to the Assembly Committee on Public Health for consideration.

Currently, Wisconsin does not protect any person with disabilities accompanied by any trained service animal except a dog and includes provisions to require a person to prove that their dog is a service dog or that they have a disability. Americans with Disabilities Act (ADA) regulations extend protection to any service animal and prohibit a person from being required to provide proof of their disability or credentials for their service animal.

The legislation will bring Wisconsin law into compliance with the Americans with Disabilities Act (ADA) provisions that protect the use of service animals by persons with disabilities in public places. This bill has bipartisan support and is supported by numerous organizations.

SB 157 passed unanimously out of the Senate Committee on Health, Children, Families, Aging and Long Term Care and was then unanimously approved by the full Senate on May 5th.

As a co-author of this legislation, I respectfully request that the Assembly Committee on Public Health schedule this bill for a public hearing as soon as possible.

If you have any questions about SB 157, please do not hesitate to contact me anytime.

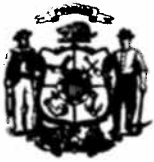
I thank you in advance for your time and cooperation.

Sincerely,

CHUCK BENEDICT
State Representative
45th Assembly District

CB:tjv





REPRESENTATIVE CHUCK BENEDICT
45TH ASSEMBLY DISTRICT

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ASSEMBLY COMMITTEE ON PUBLIC HEALTH

TESTIMONY ON SENATE BILL 157
BY REP. CHUCK BENEDICT
WEDNESDAY, SEPTEMBER 7, 2005

Chairperson Hines and members of the committee, thank you for holding this hearing this morning on Senate Bill 157.

Senate Bill 157 will conform current Wisconsin law to Federal Americans with Disabilities Act by extending the Wisconsin Public Accommodations Law to cover any type of service animal, not just guide dogs.

Wisconsin currently does not protect persons with disabilities accompanied by any trained service animal other than dogs. Current law also requires a person to prove that their dog is a service dog or that they themselves have a disability.

The bill will also eliminate state requirements that a guide dog wear a harness or leash and a special cape to identify the dog as a service animal and it will eliminate the requirement that a person with a disability who is accompanied by a guide dog present credentials issued by a guide dog training school. ADA regulations extend protections to any service animal and prohibit a person from being required to provide proof of their disability or credentials for their service animal.

Finally, this language was passed unanimously by the full Assembly last session and was approved by this committee before the legislative session ended last year.

Rock County has 1400 visually impaired residents, many of whom use service animals. While the focus here is largely on the visually impaired, many other disabled people benefit from service animals.

In the April-May 2005 edition of *Inside MS*, a Multiple Sclerosis support magazine, the cover story was about service animals who assist those people who suffer from MS. This legislation will also help them gain more independence in the community.

I urge the committee to again approve this overdue legislation and remove the unenforceable provisions of Wisconsin law and resolve any confusion that exists between conflicting Wisconsin requirements and the Federal ADA.





SENATOR MARK MILLER

Assembly Public Health Committee

SENATE BILL 157 TESTIMONY

Wednesday, September 7, 2005

Good morning, Chairman Hines and members of the committee. Thank you for holding a public hearing on SB 157, legislation relating to service animals. I am pleased to be here today with the Assembly co-author, Representative Chuck Benedict to talk about this needed legislation.

The purpose of SB 157 is to bring Wisconsin law into compliance with federal Americans with Disabilities Act (ADA) provisions that protect the use of service animals by persons with disabilities in public places. This bill has broad bipartisan and organizational support and was approved unanimously this session by both the Senate Health Committee and the full Senate.

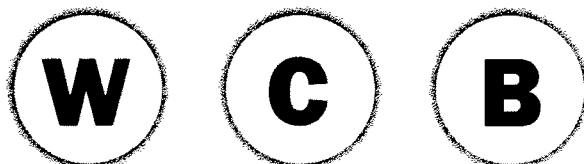
Currently, Wisconsin does not protect a person with disabilities accompanied by a trained service animal except a dog and includes provisions that require a person to prove that their dog is a service dog or that they have a disability. ADA regulations extend protection to any service animal and prohibit a person from being required to provide proof of their disability or credentials for their service animal. SB 157 simply extends those needed federal protections to Wisconsin law.

Organizations supporting this legislation include: The Wisconsin Council for the Blind, The Wisconsin Academy of Graduate Service Dog (WAGS), Wisconsin Coalition for Advocacy, Disability Advocates Resources and Access to Independence, Wisconsin Coalition of Independent Living, Department of Workforce Development, Wisconsin Division of Vocational Rehabilitation and Wisconsin First Step.

You'll also hear from a number of service animal users who are with us today. They will be able to share their personal experiences and answer questions on the need for SB 157.

In closing, I again thank the committee for today's public hearing and ask that that you look favorably on this much needed legislation. With that I'll turn it over to Representative Benedict.





wisconsin council of the blind



TO: State Representative J.A. Doc Hines
Chair, Assembly Committee on Public Health
Members of the Committee

FROM: Mr. Richard Pomo
Executive Director, WCB

Gary R. Goyke
Director of Development and Public Relations, WCB

RE: Support S.B. 157 – Relating to Service Animals

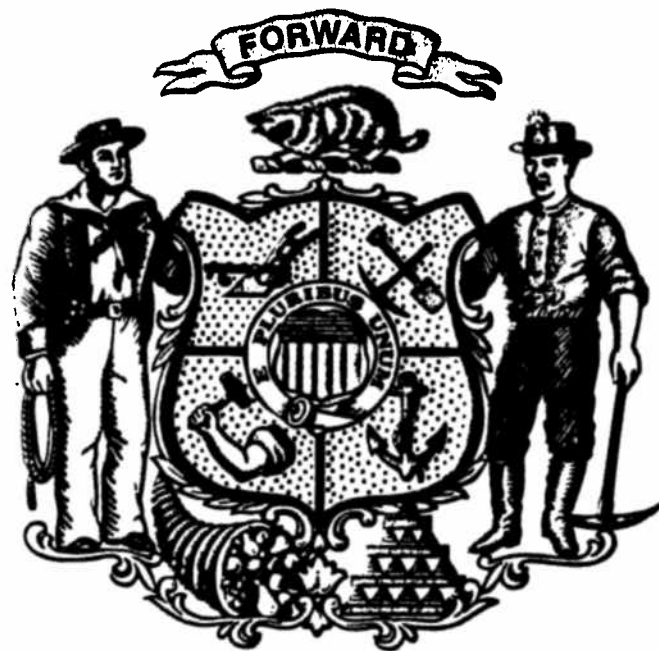
DATE: Wednesday, September 7, 2005

On behalf of the Wisconsin Council of the Blind, and the approximately 200,000 citizens in our state who are blind and visually impaired, we are here to lend our strong support to S.B. 157. We also would like to publicly thank Senator Mark Miller and Representative Chuck Benedict for their concern and support. To Senator Carol Roessler, a very special thank you for your leadership and support in the Senate.

This legislation will confirm that persons with sight disabilities can and do participate in all aspects of public accommodation in our state. The statutory barriers that are no longer relevant will be updated and revised in S.B. 157 to reflect changing opinion and ADA rules. This is a simple proposal, but it carries great substance: Wisconsin will always keep its doors open to change and continue to be a society which does its best to include everyone.

We are listing the names and communities of our current Council. They join us in spirit today in support of S.B. 157.

Jerry Bever – Madison
Kathleen Brockman – Milwaukee
Caroline Congdon – Milwaukee
Virginia DeBlaey – Madison
Nona Graves – West Allis
Scott Hegle – Waukesha
Kathleen Hudziak – Janesville
Bob Hueller – Sheboygan
Richard Johnson – Janesville
Kay Malmquist – Janesville
Bruce Parkinson – Two Rivers
Paul Schroeder – Milwaukee
Jeffrey Scott – Madison
Patty Slaby – River Falls
Rhonda Staats – La Crosse
Arnold Tucker – Park Falls
Rebecca Williams – Milwaukee
Dean Winger – Madison
Chris Zenchenko – Evansville





Badger Association

of the Blind and Visually Impaired, Inc.

October 12, 2005

The Honorable J.A. Hines
Wisconsin State Assembly
Room 10-West
State Capitol
P.O. Box 8952
Madison, WI 53708-8952

"I remember the first time I worked with a guide dog. It was like dancing. I felt free. I felt independent. It was magical."

– Elizabeth Wittman, Massage Therapist & Guide Dog User for 9 years

Dear Representative Hines,

During the next few weeks you will have the opportunity to vote on Senate Bill 157, a vital piece of legislation that will affect over two-thousand individuals who are blind or visually impaired from Wisconsin who depend on the use of service animals (guide dogs) as a critical element in their capacity to live safely and independently. SB 157 would enhance existing legislation by conforming Wisconsin statutes with current federal law defined under the Americans with Disabilities Act. **SB 157 would ensure that individuals using certified, trained service animals are not denied access to most types of public accommodation and entertainment.** Sadly, this type of discrimination continues to happen daily to many guide dog users in Wisconsin. This is clearly a case where adopting current federal law would be of great value to citizens of Wisconsin who are disabled.

The Badger Association of the Blind and Visually Impaired is a membership organization, with 593 members from throughout the state. Many of our members rely on their guide dogs to assist them in navigating in and interacting with a world that they cannot see for themselves. **Without unrestricted access to a guide dog, a person who is blind or visually impaired is left feeling helpless and frustrated.** Just as individuals with sight depend on their eyes to see, persons that are blind and visually impaired often **rely on their guide dog as a vital means of maintaining their day-to-day independence.** This is particularly important in today's society, which promotes and values independence and the empowerment of each individual.

The state of Wisconsin has an obligation to provide citizens who are visually impaired the same opportunities as all other citizens. Our legislators should use this chance to show

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their commitment to accessible public accommodations for all, especially those in our community living with blindness or visual impairment. There is no reason why a person who utilizes a professionally trained service animal should not be allowed to eat at a restaurant or enjoy watching a film at a movie theatre. It is these simple leisure activities most of us take for granted, that are often denied to people using a guide dog.

"I was denied access to a restaurant just last week. It was so embarrassing. The owner didn't care when I told him Ali was a certified guide dog."

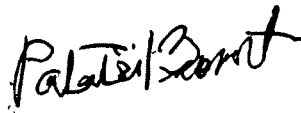
– Charlotte Gotz, Lecturer & Guide Dog User for over 30 years

The Badger Association of the Blind and Visually Impaired **strongly urges you to support and vote for the passage of Senate Bill 157.** We will be eagerly awaiting news on this bill and look forward to hearing from you on the matter.

Sincerely,



Patrick Brown
Executive Director
Badger Association



Pat Beaumont
Program Coordinator
Badger Association
Guide Dog User



Charlotte Gotz
Lecturer
Member, Badger Association
Guide Dog User



Rosemary Schroeder
Former Board Member
Badger Association
Guide Dog User



Elizabeth Wittman
Small Business Owner
Member, Badger Association
Guide Dog User