



May 3, 2021

Speaker Vos:

With this letter, I am renewing and updating my request for reasonable disability accommodations for this new session. During the previous session, the Assembly allowed for me to digitally/telephonically participate in committee hearings. However, not all of my disability-related needs were properly accommodated by these changes.

There should be no doubt that I am entitled to effective accommodations. The Americans with Disabilities Act guarantees me full access to civic life, including the opportunity to serve in office, just as our state constitution, our statutes, and our Assembly rules guarantee my constituents full representation from their state representative. To deny me reasonable and necessary accommodations would not only violate the rule of law and result in expensive and needless litigation borne by Wisconsin taxpayers, it would be an affront to the simple decency we should show one another as human beings.

As such, here are the accommodations I am requesting:

1. To establish a way for me to digitally/telephonically participate and vote during floor sessions that affords me the same opportunities as my colleagues who are physically present. If I do need to go from being physically present to using the digital/telephonic system, a recess should be granted to allow for me to transition;
2. To hold all committee hearings and floor sessions during reasonable hours, no earlier than 9 AM and no later than 9 PM, unless there is a legitimate emergency purpose for doing so;
3. To provide reasonable notice for all committee hearings and floor sessions, including when we are to return to the floor after considerable delay or recess. At the bare minimum, there should be five days notice for all scheduled committee hearings and floor sessions. As for any delay or recess that lasts more than an hour, there should be 30 minutes notice to return to the floor, respecting the 9 AM to 9 PM accommodation.

Each of these accommodation requests stem from my evolving experiences as a disabled legislator. It is trite but true to say that living as a quadriplegic comes with many obstacles, but these issues can be addressed with the appropriate accommodation. Being allowed to be digitally/telephonically present on the floor is necessary for the times when my disability makes it impossible for me to be physically present. Furthermore, having explicit start and end times for all meetings of the legislature, along with the reasonable notice of those meetings, is absolutely necessary to respectfully schedule my personal care workers.

It should be noted that there were other changes made to the Assembly rules in the previous session that were allegedly made to address my concerns about the duration of floor sessions. I did not request these changes and argued that they would be ineffective in accommodating my disability. These changes included establishing time limits for debating specific bills, limiting the use of dilatory motions, making it more difficult for those in

the minority to bring up proposals not on the calendar, and moving the vote on resolutions after the vote on bills.

While on its face it does appear that these changes could help prevent floor sessions from stretching long into the night, that's not actually true in practice. For instance, if there was a floor session that began at 1 PM and there were eight bills each given one hour of debate, it might be assumed that we would end the floor session by 9 PM. However, there are often ceremonial events, legislative motions, technological difficulties, and other delays that can add hours to the time spent on the floor.

This is exactly what happened during the floor session that occurred on February 20th, 2020, just a few months after the Assembly rules were changed. There was an agreement that there would be nearly 11 hours of debate on 19 bills and that we would begin at 10 AM, leaving me to anticipate that the floor session would end around 9 PM. Unfortunately, that was not the case.

Not only were 13 items added to the calendar at the last minute, but there were several delays throughout the day, including a significant delay that began around 9:30 PM that stretched past midnight. The floor session ultimately ended around 1 AM, but for reasons related to my disability, I had to leave around 10 PM, missing the vote on three bills and their amendments. Simply put, these additional changes to the Assembly rules were ineffective accommodations for my disability and under these rules, it continues to be impossible for me to be physically present for every vote and maintain my health and safety as a quadriplegic.

This is why my renewed request for disability accommodations is absolutely necessary. To deny these accommodations would be particularly galling given that all I ask for is reasonable planning and the same technological resources we have already implemented during the COVID-19 pandemic. I mean this literally. The Legislative Technology Services Bureau has already created and we have already used a Zoom-based system for us to speak and vote on the floor that worked incredibly well. And for the last several months, I have been allowed to use my cell phone to register my votes from home (but have unfortunately been denied the right to speak).

To walk back the accommodations I have received because of COVID-19 simply because you do not want to provide them for my disability makes no sense. To do so would unjustly exclude me, disenfranchise my constituents, and place yourself on the wrong side of history. As such, I ask that you accept my reasonable accommodation requests and begin the process of implementing them immediately.

Sincerely,

Jimmy Anderson
State Representative
47th Assembly District

cc: Minority Leader Gordon Hintz
ADA Coordinator