

**2009 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB31)**

Received: **04/28/2009**

Received By: **gmalaise**

Wanted: **Today**

Identical to LRB:

For: **Mark Honadel (608) 266-0610**

By/Representing: **Bonnie Deering**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Discrimination**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Honadel@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Standard for awarding punitive damages

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**Instructions:**

See attached--clarify that s. 895 043 (3) is the standard for awarding punitive damages

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**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>
/?	gmalaise 04/28/2009	bkraft 04/28/2009		_____			
/1			jfrantze 04/28/2009	_____	lparisi 04/28/2009	lparisi 04/28/2009	

FE Sent For:

<END>

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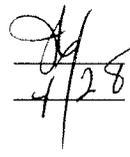
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/?	gmalaise	/1 bjk 4/28	 4/28	 4/28			

FE Sent For:

<END>

## Malaise, Gordon

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**From:** Deering, Bonnie  
**Sent:** Tuesday, April 28, 2009 12:07 PM  
**To:** Malaise, Gordon  
**Subject:** FW:

**Attachments:** 20090428121133127.pdf



2009042812113312  
7.pdf (31 KB)

Rep. Honadel needs this amendment drafted for today's floor period.

Bonnie Deering

**SB 20 & AB 31**  
Technical Amendment

Amend Substitute Amendment 1, at page 5, line 8, as follows:

(2) (a) Subject to pars. (c) and (d), in an action under sub. (1) (a), the circuit court shall order the defendant to pay to the person discriminated against or subjected to unfair honesty testing or unfair genetic testing compensatory and punitive damages in an amount that the circuit court or jury finds appropriate, plus reasonable costs and attorney fees incurred in the action. Those damages are in addition to any back pay or other amounts awarded under s. 111.39, and with respect to punitive damages, shall be consistent with s. 895.043(3). The sum of the amount of compensatory damages for future economic losses and for pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and other noneconomic losses and the amount of punitive damages that a circuit court may order may not exceed the following:



State of Wisconsin  
2009 - 2010 LEGISLATURE

ASSEMBLY

lvh

602871

LRB: [unclear]  
GMM:jld:ph

From  
a0269/1

e  
bjk

~~SENATE~~ AMENDMENT,  
TO ~~SENATE~~ SUBSTITUTE AMENDMENT 1,  
TO 2009 ~~SENATE~~ BILL 20

31

bh

LPS - Please  
fix request sheet.

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 5, line 5: delete "and" and substitute "damages and, if the standard
- 3 under s. 895.043 (3) is met,".
- 4 (END)