

2001 DRAFTING REQUEST

Assembly Amendment (AA-AA2-AB60)

Received: 03/19/2001

Received By: rryan

Wanted: Today

Identical to LRB:

For: Mark Gundrum (608) 267-5158

By/Representing: himself

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters:

Subject: Justice - civil
Criminal Law - miscellaneous

Extra Copies: MGD
Don Dyke (Leg. Council)

Pre Topic:

No specific pre topic given

Topic:

Civil cause of action for violating prohibition against making a depiction of a person nude without his or her consent

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Iacketed</u>	<u>Required</u>
/1	rryan 03/20/2001	jdye 03/20/2001	martykr 03/20/2001	_____	lrb_docadmin 03/20/2001	lrb_docadmin 03/20/2001	

FE Sent For:

<END>

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/1	rryan	1 3/20 jld	1 m 3/20	Rt 3 x m 20			

FE Sent For:

<END>

Ryan, Robin

From: Gundrum, Mark
Sent: March 19, 2001 12:41 PM
To: Ryan, Robin
Subject: Rep. Gundrum - Voyeurism Bill Amendments

Robin,

Here is the email I sent to Don Dyke on Friday regarding suggested language for the amendment I am looking for. I believe this language will accomplish what I am hoping to accomplish. Could you please put together an amendment with language like this ASAP? Call me if you have any questions. home (414) 425-2556, car (414) 313-3962

Thanks so much!

Mark

-----Original Message-----

From: Gundrum, Mark
Sent: Friday, March 16, 2001 4:13 PM
To: Dyke, Don
Cc: Churchill, Jolene
Subject:

How about language like this:

"A court may award punitive damages in accordance with s. 895.85 to a plaintiff seeking recovery against the individual who invaded the plaintiff's privacy under sub. (2)(d), regardless of whether the plaintiff proves compensatory damages resulting from that invasion of privacy."

or

✓ "A court may award punitive damages in accordance with s. 895.85 to a plaintiff seeking recovery against the ^{person} individual who invaded the plaintiff's privacy under sub. (2)(d), regardless of whether the plaintiff proves compensatory damages resulting from that ~~individual's~~ ^{person's} invasion of the plaintiff's privacy."

Also, I'm not certain what factors all weigh in on the germaneness issue, but just in case it is a factor that we are dealing with 895.50 with this amendment, as opposed to 942.09, is there a legitimate way to accomplish the same thing, but putting it in 942.09, or doesn't that really work?

Please consider the above two proposed changes and let me know what you think. thanks

Mark

Attn: Robin Ryan

(608) 264-6948

"A court may award punitive damages in accordance with s. 895.85 to a plaintiff seeking recovery against the person who invaded the plaintiff's privacy under sub. (2)(d), regardless of whether the plaintiff proves compensatory damages resulting from that person's invasion of the plaintiff's privacy."

Per Rep. Gundrum:

Please use this exact language

(414) 425-2556 (h)
425-2596 (o)



State of Wisconsin
2001-2002 LEGISLATURE

LRBa0363/1

KLR: A...
Jld

By 9:00 AM Tues. 3/20/01

ASSEMBLY AMENDMENT,
TO ASSEMBLY AMENDMENT 2,
TO 2001 ASSEMBLY BILL 60

1 At the locations indicated, amend the amendment as follows:

2 1. Page 1, line 11: delete the material beginning with "for" and ending with

3 "privacy" on page 1, line 13 and substitute: NO

4 " against the person who invaded the plaintiff's privacy under sub. (2) (d),

5 regardless of whether the plaintiff proves compensatory damages resulting from

6 that person's invasion of the plaintiff's privacy".

7 (END)