

## 2005 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-AB958)

Received: 04/13/2006

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Steve Wieckert (608) 266-3070

By/Representing: Dan Schmidt

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Military Affairs - emerg govt

Extra Copies:

Submit via email: YES

Requester's email: Rep.Wieckert@legis.state.wi.us

Carbon copy (CC:) to: dan.schmidt@legis.state.wi.us

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Compensation for services provided during an emergency

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#### Instructions:

See Attached and use s0567

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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>
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/1	rnelson2 04/13/2006	wjackson 04/13/2006	jfrantze 04/14/2006	_____	sbasford 04/14/2006	sbasford 04/14/2006	

FE Sent For:

<END>

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4/14

FE Sent For:

<END>

Wickert

Dan Schmidt

ASA to  
2005 AB 957

(a) No person who provides  
or services is liable for  
the death or injury caused by his  
or actions if all of the  
following conditions are met

s 0567

1. Per of gov . . . . s. 29.05(3)

2. During estate . . . . state of  
ca.

(b) This not apply reckless w

(c) This sub.

Fri!



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBs0697/1

RPN:.....

4/14 Noonish

WJ

SENATE SUBSTITUTE AMENDMENT,  
TO 2005 ASSEMBLY BILL 958

Gen

1 AN ACT ...; relating to: civil immunity for persons who provide assistance during  
2 an emergency.

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

3 SECTION 1. 166.03 (10) of the statutes is repealed and recreated to read:

4 166.03 (10) EXEMPTION FROM LIABILITY. (a) No person who provides equipment,  
5 materials, facilities, labor, or services is liable for the death of or injury to any person  
6 or damage to any property caused by his or her actions if the person did so under all  
7 of the following conditions:

8 1. Under the direction of the governor, the adjutant general, the governing  
9 body, chief or acting chief executive officer, or head of emergency management  
10 services of any county, town, municipality or federally recognized American Indian  
11 tribe or band in this state, the department of health and family services if that

1 department is designated by the governor under s. 166.03 (1) (b) 1., or the local health  
2 department acting under s. 251.05 (3) (e).

3 2. In response to enemy action, a natural or man-made disaster, or a federally  
4 declared state of emergency or during a state of emergency declared by the governor.

5 (b) This subsection does not apply if the person's act or omission involved  
6 reckless, wanton, or intentional misconduct.

7 (c) This subsection does not affect the right of any person to receive benefits to  
8 which he or she otherwise would be entitled under the worker's compensation law  
9 or under any pension law, nor does it affect entitlement to any other benefits or  
10 compensation authorized by state or federal law.

11 **SECTION 2. Initial applicability.**

12 (1) This act first applies to acts or omissions that occur on the effective date of  
13 this subsection.

14 (END)

*D-note*

*This draft is not intended  
to change the meaning of ~~the~~  
ASAI, <sup>but</sup> merely ~~to~~ makes it  
more understandable.*

*RPN*  


**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBs0697/1dn  
RPN:wljf

April 14, 2006

This draft is not intended to change the meaning of ASA1, but merely makes it more understandable.

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## Northrop, Lori

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**To:** Becher, Scott  
**Subject:** LRB 05s0697/1 and dn attached as requested

**Attachments:** 05s0697/1; 05s0697/1dn



05s06971.pdf



05s06971dn.pdf

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