

2009 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB31)

Received: **04/16/2009**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

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

By/Representing: **Jason Vick**

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:

Pre Topic:

No specific pre topic given

Topic:

Damages and penalty for employment discrimination; eliminate punitive damages and penalty

Instructions:

See attached--eliminate punitive damages and 10 percent fee

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 04/16/2009	wjackson 04/16/2009		_____			
/1			phenry 04/17/2009	_____	mbarman 04/17/2009	mbarman 04/17/2009	

FE Sent For:

<END>

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FE Sent For:

<END>

Malaise, Gordon

From: Vick, Jason
Sent: Thursday, April 16, 2009 2:18 PM
To: Malaise, Gordon
Subject: AB 31 amendments

Gordon,

Rep. Honadel would like to request the following amendments be drafted to AB 31 as amended:

Amendment #1:

Eliminate the punitive damages provision and the 10% penalty.

Amendment #2:

Remove prohibition in SA 1 of action against the state, a stage agency, or a local government unit, so that those units are subject to action as well.

Amendment #3:

Change prohibition of action against an employer with 15 or fewer individuals to 25 or fewer individuals.

Amendment #4:

Eliminate the 10% penalty and cap the amount of compensatory damages as follows:

- No compensatory or punitive damages action against an employer with 25 or fewer employees.
- Employer with 26-100 employees: \$25,000
- Employer with 101-500 employees: \$50,000
- Employer with more than 500: \$100,000

We expect this bill to be brought to the floor next Thursday.

Thank you.

Jasson Vick

Office of Rep. Mark Honadel
21st Assembly District
608-266-0611



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa02247/①
GMM.....
WLj

IN 4/16
Fri 4/17

ASSEMBLY AMENDMENT,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 31

DN-52

and ending with "appropriation"
on line 6 and

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 ↓ 1. Page 1, line 5: delete ~~lines 5 and 6~~ and substitute: ~~to pay compensatory~~
3 damages. *the material beginning with "and punitive"*
- 4 ↓ 2. Page 2, line 1: delete lines 1 to 7.
- 5 ↓ 3. Page 3, line 15: delete "and punitive".
- 6 ↓ 4. Page 3, line 25: delete "and punitive".
- 7 ↓ 5. Page 4, line 10: delete "and punitive".
- 8 ↓ 6. Page 5, line 5: delete "and punitive".
- 9 ↓ 7. Page 5, line 8: delete "sum of the".
- 10 ↓ 8. Page 5, line 11: delete "and the amount of punitive damages".
- 11 ↓ 9. Page 6, line 1: delete lines 1 to 9.

- 1 √ **10.** Page 6, line 10: delete "or (b)".
- 2 √ **11.** Page 7, line 10: delete lines 10 to 13.
- 3 (END)

DN of E Date

GMM: WJ:

Representative Hamadell

④ This amendment deletes punitive damages
and the 10 percent penalty

GMM

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

LRBa0224/1dn
GMM:wlj:ph

April 17, 2009

Representative Honadel:

This amendment deletes punitive damages and the 10 percent penalty.

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.wisconsin.gov