2009 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB20)

FE Sent For:

Received: 04/28/2009					Received By: gmalaise			
Wanted: Today					Identical to LRB:			
For: David Hansen (608) 266-5670					By/Representing: Russ Whitsel			
This file may be shown to any legislator: NO					Drafter: gmalaise			
May Contact:					Addl. Drafters:			
Subject: Discrimination					Extra Copies:			
Submit vi	ia email: YES							
Requester's email: Sen.Hanse		n@legis.wi	sconsin.gov					
Carbon copy (CC:) to:		russ.whitesel@legis.wisconsin.gov jessica.karls@legis.wisconsin.gov						
Pre Topi	c:		,					
No specif	ic pre topic gi	ven						
Topic:			*************************************					
Damages	for employme	ent discrimination	on; claims a	against the stat	te			
Instructi	ons:							
See attach	nedredraft a	257, but delete	cross refere	ence to s. 893.	80 as unnecessary	7		
Drafting	History:						The second secon	
Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
/?	gmalaise 04/28/2009	kfollett 04/28/2009						
			rschluet		mbarman	mbarman		

<**END>**

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Discrimination

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Submit via email: YES

Requester's email:

Sen.Hansen@legis.wisconsin.gov

Carbon copy (CC:) to:

russ.whitesel@legis.wisconsin.gov

jessica.karls@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Damages for employment discrimination; claims against the state

Instructions:

See attached--redraft a0257, but delete cross reference to s. 893.80 as unnecessary

Drafting History:

Vers.

Drafted

Reviewed

Proofed

Submitted

Jacketed

Required

/?

gmalaise

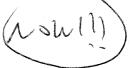
FE Sent For:

<END>



11

State of Misconsin 2009 - 2010 LEGISLATURE





SENATE AMENDMENT,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2009 SENATE BILL 20

*	At the locations indicated, amend the substitute amendment as follows.
2	1. Page 4, line 14: delete "the state, any".
3	2. Page 4, line 15: delete "agency of the state, or".
4	3. Page 4, line 18: after "year." insert "Section 893.80 does not apply to actions
5	commenced under this paragraph.".
6	4. Page 7, line 13: after that line insert:
7	"Section 7r. 893.80 (8) of the statutes amended to read:
8	893.80 (8) This section does not apply to actions commenced under s. 19.37,
9	19.97, 111.397, or 281.99 or to claims against the interstate insurance product
10	regulation commission.".

(END)

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0279/1dn GMM:...

Oate

Senator Hansen:

This amendment should be introduced in lieu of LRBa0257/1. On further review, it is not necessary to cross-reference s. 893.80 or 893.82 because s. 893.80 applies only to claims against local governments, not to claims against the state, and s. 893.82 applies only to claims against state employees, not to claims against the state itself. *Miller Mauston School Dist.*, 222 Wis. 2d 540, 548, 554 (Ct. App. 1998). The substitute amendment, as amended by this amendment, authorizes claims only against the state and not against local governments or state employees. Therefore, neither s. 893.80 nor 893.82 apply to the bill anyway, so no cross-references are necessary.

Gordon M. Malaise Senior Legislative Attorney Phone: (608) 266–9738

E-mail: gordon.malaise@legis.wisconsin.gov

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa0279/1dn GMM:kjf:rs

April 28, 2009

Senator Hansen:

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