

January 10, 1984

LR 2

bill? Excuse me, we have an amendment to the bill. Perhaps we ought to do that first. I didn't know that.

CLERK: Mr. President, Senator DeCamp would move to amend the bill. On page 2, line 13, strike the words and insert...strike and insert the following "provided, however, that punitive damages hereby allowed shall go to the proper party damaged".

SPEAKER NICHOL: Senator DeCamp.

SENATOR DECAMP: Mr. President and members, this is a good amendment. In some ways it is significant. The Constitution of this state apparently doesn't allow punitive damages. Most states do, by the way. Punitive damages is a relative simple concept. Let's assume I damage Pat in one way or another and they assess up, they say, well, the car was damaged and you did this and you did that, but you also were horribly vicious and did horrible things. We don't allow punitive damages in the court. You can assess punitive damages in most other states. They say, not only do you get your damages but as additional punishment \$1,000 is charged and you get it. This just would clarify that punitive damages would be allowed here and they would go to the proper party, and since this section was open, I thought it was an appropriate place to offer this.

SPEAKER NICHOL: Senator Vickers. Senator Pirsch.

SENATOR PIRSCH: Senator DeCamp, would you repeat again where you are adding and what you are adding.

CLERK: Page 2, line 13, Senator.

SENATOR PIRSCH: What page 2, line 13? It doesn't make sense. Of the committee amendments or the original bill.

CLERK: Well, Senator, I don't think the committee amendments went to line 13, did they, on my reading of them.

SENATOR PIRSCH: Not on page 2. But page 2 of the regular bill...

CLERK: It is on page 2 of the bill.