### **Assembly**

### **Record of Committee Proceedings**

## **Committee on Judiciary**

### **Assembly Bill 651**

Relating to: parental liability for acts of their minor child, recovery of damages for certain criminal actions, increasing the jurisdictional amount in small claims court, garnishment, attorney fees, exemption from execution of accounts, civil actions by collection agencies, earnings garnishment, retail theft, recovery in actions involving worthless checks, and revocation of fish and game approvals for which payment is made by worthless checks.

By Representatives Montgomery, Olsen, Musser, Hines, LeMahieu, Hahn, Gard, Vrakas, Rhoades, Grothman, Bies, Townsend, McCormick, Hundertmark, Owens, Krawczyk, J. Fitzgerald, Kestell, Suder, Albers, Powers and Gunderson; cosponsored by Senators Stepp, Kanavas, Schultz, Lassa, Welch, Breske, Hansen, Roessler and Cowles.

November 10, 2003 Referred to Committee on Judiciary.

January 26, 2004 **PUBLIC HEARING HELD** 

Present: (6) Representatives Gundrum, Albers, Grothman, Kerkman, Staskunas and Hebl.

Absent: (2) Representatives McCormick and Cullen.

#### Appearances For

- Representative Phil Montgomery, 4th Assembly District
- Doug Johnson, Wisconsin Merchants Federation
- Doug Johnson, Midwest Hardware Association
- Bill Smith, National Federation of Independent Business
- Terry Gerrits, Asset Protection and Recovery
- Dave McDorman

Appearances Against		
	None.	
Appearances for Information Only		
	None.	
Registrations For		
	Senator Ted Kanavas, 33rd Senate District	
	Paul Merline, Wisconsin Restaurant Association	
	Wayne Corey, Wisconsin Independent Business	
	Kathi Kilgore, Wisconsin Innkeepers Association	
	Katie Walby, TDS	

	<ul> <li>□ Michael Vaughan, Wisconsin Bankers Association</li> <li>□ Michael Mettner, Children's Hospital of Wisconsin</li> <li>□ Michael Mettner, Children's Health System</li> <li>□ Matt Hauser, Petroleum Marketers Association of Wisconsin</li> <li>□ Mattt Hauser, Wisconsin Association of Convenience Stores</li> <li>□ Gary Manke, Midwest Equipment Dealers Association</li> <li>□ Gary Manke, Wisconsin Aftermarket Parts Association</li> </ul>
	☐ Michelle Kussow, Wisconsin Grocers Association
	☐ Pauline Kussart, Wisconsin Collectors Association
	Registrations Against  ☐ Judith Coleman, Wisconsin Clerks of Circuit Court Association ☐ Kerry Widish ☐ Sarah Diedrick-Kasdorf, Wisconsin Counties Association ☐ Roy DeLaRosa, Milwaukee County ☐ Bob Anderson, Legal Action of Wisconsin
January 29, 2004	EXECUTIVE SESSION HELD
	Present: (8) Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas, Hebl and Cullen.
	Absent: (0) None.
	Moved by Representative Hebl, seconded by Representative Cullen that <b>Assembly Amendment 1</b> be recommended for adoption.
	Ayes: (4) Representatives McCormick, Staskunas, Hebl and Cullen.

ASSEMBLY AMENDMENT 1 ADOPTION NOT RECOMMENDED, Ayes 4, Noes 4

and Kerkman.

Noes:

Moved by Representative McCormick, seconded by Representative Hebl that **Assembly Amendment 2** be recommended for adoption.

Ayes: (2) Representatives Hebl and Cullen.

Noes: (6) Representatives Gundrum, McCormick, Albers, Grothman, Kerkman and Staskunas.

(4) Representatives Gundrum, Albers, Grothman

ASSEMBLY AMENDMENT 2 ADOPTION NOT RECOMMENDED, Ayes 2, Noes 6

Moved by Representative Hebl, seconded by Representative Staskunas that **Assembly Amendment 4** be recommended for adoption.

Ayes: (3) Representatives Staskunas, Hebl and Cullen.

Noes: (5) Representatives Gundrum, McCormick, Albers, Grothman and Kerkman.

## ASSEMBLY AMENDMENT 4 ADOPTION NOT RECOMMENDED, Ayes 3, Noes 5

Moved by Representative Hebl, seconded by Representative Staskunas that **Assembly Amendment 6** be recommended for adoption.

Ayes: (2) Representatives Hebl and Cullen.

Noes: (6) Representatives Gundrum, McCormick, Albers, Grothman, Kerkman and Staskunas.

# ASSEMBLY AMENDMENT 6 ADOPTION NOT RECOMMENDED, Ayes 2, Noes 6

Moved by Representative Hebl, seconded by Representative Staskunas that **Assembly Amendment 9** be recommended for adoption.

Ayes: (6) Representatives Gundrum, McCormick, Grothman, Staskunas, Hebl and Cullen.

Noes: (2) Representatives Albers and Kerkman.

## ASSEMBLY AMENDMENT 9 ADOPTION RECOMMENDED, Ayes 6, Noes 2

Moved by Representative Hebl, seconded by Representative Cullen that **Assembly Amendment 10** be recommended for adoption.

Ayes: (4) Representatives Grothman, Staskunas, Hebl and Cullen.

Noes: (4) Representatives Gundrum, McCormick, Albers and Kerkman.

ASSEMBLY AMENDMENT 10 ADOPTION NOT RECOMMENDED, Ayes 4, Noes 4

Moved by Representative Grothman, seconded by Representative Kerkman that **Assembly Amendment 11** be recommended for introduction and adoption.

Ayes: (8) Representatives Gundrum, McCormick, Albers, Grothman, Kerkman, Staskunas, Hebl and Cullen.

Noes: (0) None.

INTRODUCTION AND ADOPTION OF ASSEMBLY AMENDMENT 11 RECOMMENDED, Ayes 8, Noes 0

Moved by Representative McCormick, seconded by Representative Albers that **Assembly Bill 651** be recommended for passage as amended.

Ayes: (5) Representatives Gundrum, McCormick, Albers, Grothman and Kerkman.

Noes: (3) Representatives Staskunas, Hebl and Cullen.

PASSAGE AS AMENDED RECOMMENDED, Ayes 5, Noes 3

Jolene Churchill Committee Clerk