

☞ **11hr_SC-LPSUA_ab0247_pt01**



(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2011-12

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Labor, Public Safety, and Urban
Affairs (SC-LPSUA)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (July/2012)

Senate

Record of Committee Proceedings

Committee on Labor, Public Safety, and Urban Affairs

Assembly Bill 247

Relating to: jurisdiction in matters relating to domestic abuse restraining orders and injunctions, child abuse restraining orders and injunctions, and harassment restraining orders and injunctions.

By Representatives Loudenbeck, Roys, Steineke, Nass, Petrowski, A. Ott, Pohan, Danou, Wynn, Brooks, Milroy, Strachota, Nygren, Kerkman, Jacque, Spanbauer, Krug, T. Larson, Kleefisch, Kaufert, Van Roy, Ballweg and C. Taylor; cosponsored by Senators Wanggaard, Carpenter, Kedzie and Harsdorf.

October 21, 2011 Referred to Committee on Labor, Public Safety, and Urban Affairs.

January 10, 2012 **EXECUTIVE SESSION HELD**

Present: (5) Senators Wanggaard, Grothman, Lazich, Wirsch and King.

Absent: (0) None.

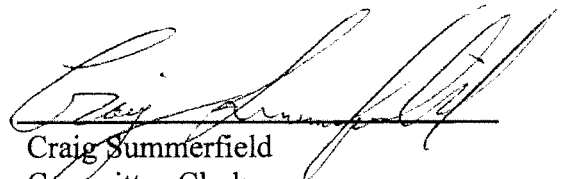
Excused: (0) None.

Moved by Senator Lazich, seconded by Senator King that **Assembly Bill 247** be recommended for concurrence.

Ayes: (4) Senators Wanggaard, Lazich, Wirsch and King.

Noes: (1) Senator Grothman.

CONCURRENCE RECOMMENDED, Ayes 4, Noes 1


Craig Summerfield
Committee Clerk

Vote Record
Committee on Labor, Public Safety, and Urban Affairs

Date: 11/21/2012

Moved by: LAZICH

Seconded by: KING

AB 247 SB _____ Clearinghouse Rule _____
 AJR _____ SJR _____ Appointment _____
 AR _____ SR _____ Other _____

A/S Amdt _____
 A/S Amdt _____ to A/S Amdt _____
 A/S Sub Amdt _____
 A/S Amdt _____ to A/S Sub Amdt _____
 A/S Amdt _____ to A/S Amdt _____ to A/S Sub Amdt _____

Be recommended for:

- Passage Adoption Confirmation Concurrence Indefinite Postponement
 Introduction Rejection Tabling Nonconcurrence

Committee Member

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Van Wanggaard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Glenn Grothman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Mary Lazich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Wirch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Jessica King	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

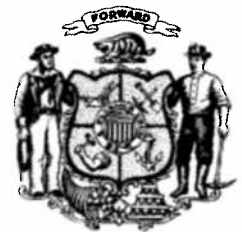
Totals: 4-1 _____ _____

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE





**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2011 Assembly Bill 247	Assembly Amendment 1
<i>Memo published:</i> October 11, 2011	<i>Contact:</i> Mary Matthias, Senior Staff Attorney (266-0932)

Assembly Bill 247 specifies that a court has subject matter jurisdiction in certain actions for restraining orders or injunctions in cases of domestic abuse, child abuse, or harassment regardless of whether the alleged abuse or harassment occurred within Wisconsin.

The bill also specifies that a court has personal jurisdiction over a person served in an action in those cases if any of the following applies:

1. The abuse or harassment alleged in the action has an effect in Wisconsin.
2. The petitioner or alleged child victim resides or is living temporarily in Wisconsin.
3. The respondent is served but does not appear, respond, or file a response or motion asserting lack of jurisdiction as a defense.
4. Personal jurisdiction is otherwise permissible under the U.S. Constitution or the Wisconsin Constitution.

Assembly Amendment 1 amends the first basis for personal jurisdiction described above by providing that a court has personal jurisdiction over a person who is in another state if the abuse or harassment *could have* an effect in Wisconsin.

Assembly Amendment 1 also eliminates the third basis for jurisdiction, above, and instead provides that if a court has personal jurisdiction under any of the bases set forth in the bill, and a respondent has been served, but does not appear or does not file a response or motion asserting the defense of lack of personal jurisdiction, the court must hear the action. The amendment also specifies that the bill does not limit the respondent's right to challenge personal jurisdiction on appeal.

Legislative History

Assembly Amendment 1 was offered by Representative Loudenbeck on October 5, 2011. On October 6, 2011, the Assembly Committee on Public Health and Public Safety voted to recommend adoption of the amendment, and passage of the bill, as amended, on successive votes of Ayes, 6; Noes, 0.

MM:ty



Assembly

Record of Committee Proceedings

Committee on Public Health and Public Safety

Assembly Bill 247

Relating to: jurisdiction in matters relating to domestic abuse restraining orders and injunctions, child abuse restraining orders and injunctions, and harassment restraining orders and injunctions.

By Representatives Loudenbeck, Roys, Steineke, Nass, Petrowski, A. Ott, Pohan, Danou, Wynn, Brooks, Milroy, Strachota, Nygren, Kerkman, Jacque, Spanbauer, Krug, T. Larson, Kleefisch, Kaufert, Van Roy, Ballweg and C. Taylor; cosponsored by Senators Wanggaard, Carpenter, Kedzie and Harsdorf.

September 07, 2011 Referred to Committee on Public Health and Public Safety.

September 22, 2011 **PUBLIC HEARING HELD**

Present: (7) Representatives Bies, Knilans, Petrowski, Loudenbeck, Ziegelbauer, Bernard Schaber and Pasch.
Absent: (1) Representative Zamarripa.
Excused: (0) None.

Appearances For

- Amy Loudenbeck — Rep., 45th Assembly District
- Van Wanggaard — Sen., 21st Senate District
- Troy Knudson — Rock County Sheriff's Office
- Tony Gibart — WI Coalition Against Domestic Violence
- Peter Bennett — Domestic Abuse Intervention Services

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- John Keckhaver — WI Coalition Against Sexual Assault

Registrations Against

- None.

Registrations for Information Only

- None.

October 6, 2011

EXECUTIVE SESSION HELD

Present: (6) Representatives Bies, Knilans, Loudenbeck,
Ziegelbauer, Bernard Schaber and Zamarripa.
Absent: (0) None.
Excused: (2) Representatives Petrowski and Pasch.

Moved by Representative Bies, seconded by Representative Loudenbeck that **Assembly Amendment 1** be recommended for adoption.

Ayes: (6) Representatives Bies, Knilans, Loudenbeck,
Ziegelbauer, Bernard Schaber and Zamarripa.
Noes: (0) None.
Absent: (2) Representatives Petrowski and Pasch.

ASSEMBLY AMENDMENT 1 ADOPTION RECOMMENDED,
Ayes 6, Noes 0

Moved by Representative Loudenbeck, seconded by Representative Bies that **Assembly Bill 247** be recommended for passage as amended.

Ayes: (6) Representatives Bies, Knilans, Loudenbeck,
Ziegelbauer, Bernard Schaber and Zamarripa.
Noes: (0) None.
Absent: (2) Representatives Petrowski and Pasch.

PASSAGE AS AMENDED RECOMMENDED, Ayes 6, Noes 0

Andrew Nowlan
Committee Clerk