

2003-04 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Health, Children,
Families, Aging and
Long Term Care
(SC-HCFALTC)

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR_RCP_pt01a
- 03hrAC-EdR_RCP_pt01b
- 03hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ 03hr_ab0474a_pt01

➤ Miscellaneous ... Misc

➤ **

➤ Record of Comm. Proceedings ... RCP


➤ **

003 - 2004 LEGISLATURE

ASSEMBLY AMENDMENT 1,
TO 2003 ASSEMBLY BILL 474 

October 30, 2003 - Offered by Committee on Children and Families.


Pg1Ln1 At the locations indicated, amend the bill as follows:

AA1-AB474, Item 1. 

Pg1Ln2 **1.** Page 3, Line 13: after that line insert:"

AA1-AB474, Item 1. 

Pg1Ln3 **Section 12m.** 813.125 (3) (c) of the statutes is amended to read:

AA1-AB474, Item 1. - continued 

Pg1Ln4 813.125 (3) (c) The temporary restraining order is in effect until a hearing is
Pg1Ln5 held on issuance of an injunction under sub. (4). A judge or circuit court
Pg1Ln6 commissioner shall hold a hearing on issuance of an injunction within 7 14 days after
Pg1Ln7 the temporary restraining order is issued, unless the time is extended upon the
Pg1Ln8 written consent of the parties or extended once for 7 14 days upon a finding that the
Pg1Ln9 respondent has not been served with a copy of the temporary restraining order
Pg1Ln10 although the petitioner has exercised due diligence."
Pg1Ln11

(End)

AB 574

Asbjornson, Karen

From: Roessler, Carol
Sent: Monday, November 10, 2003 9:40 AM
To: 'Michael Fischer'
Subject: Re: AB 574

Dear Michael:

Thank you for contacting me with your concerns about Assembly Bill 574, relating to prohibiting nudity on land owned, managed, supervised, or controlled by a state agency, restricting parking in certain parking lots in the town of Mazomanie, and providing a penalty.

I understand you have strong feelings against this bill. While I am not a cosponsor of this particular bill, I am in support of banning nudity at Mazomanie Beach. I feel that if public nudity is banned at this beach more families might gather and enjoy the area.

Thank you again for contacting me on this issue. I appreciate your concern and acknowledge your opinion. If you have further concerns please contact me.

Sincerely,

CAROL ROESSLER
State Senator
18th Senate District



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2003 Assembly Bill 474	Assembly Amendment 1
<i>Memo published:</i> November 11, 2003 <i>Contact:</i> Anne Sappenfield, Senior Staff Attorney (267-9485)	

Current law allows a court to impose four types of restraining orders: domestic abuse, child abuse, vulnerable adult, and harassment. For each type, the court first holds a hearing to determine whether to issue a temporary restraining order and later holds a hearing to determine whether to issue an injunction. The hearing for a child abuse, vulnerable adult, or harassment injunction must be held within seven days after the temporary restraining order is issued. The injunction hearing for a domestic abuse injunction must be held within 14 days after the temporary restraining order is issued.

A person who knowingly violates a domestic abuse, child abuse, vulnerable adult, or harassment temporary restraining order or injunction is subject to a criminal penalty. For a domestic abuse injunction, a respondent, or subject of an injunction, who does not appear at the injunction hearing, but who has been served with a copy of the petition and notice of the time of the hearing, is deemed to have constructive knowledge of the existence of the injunction and must be arrested for a violation of the injunction regardless of whether he or she has been served with a copy of the injunction.

Assembly Bill 474 provides that, as for domestic abuse injunctions, the subject of a child abuse, vulnerable adult, and harassment injunction has constructive knowledge of the injunction if he or she has been served with a copy of the petition and notice of the hearing even if the person does not appear at the hearing.

Assembly Amendment 1 provides that an injunction hearing for a harassment injunction must be held within 14 days after the temporary restraining order is issued, instead of seven days.

The Assembly Committee on Children and Families recommended adoption of Assembly Amendment 1 on a vote of Ayes, 6, Noes, 1 on October 30, 2003. The committee also recommended passage of the bill, as amended, on a vote of Ayes, 7, Noes, 0 on that date.

AS:wu

ASSEMBLY BILL 474

LC Amendment Memo

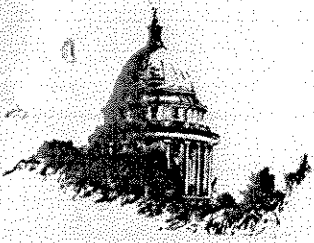
An Act to renumber 813.12 (7) (intro.), 813.12 (7) (a), 813.12 (7) (b), 813.122 (10) (intro.), 813.122 (10) (a), 813.122 (10) (b), 813.123 (9) (intro.), 813.123 (9) (a), 813.123 (9) (b), 813.125 (6) (intro.), 813.125 (6) (a) and 813.125 (6) (b); to amend 813.12 (7) (c); and to create 813.122 (10) (c), 813.123 (9) (c) and 813.125 (6) (c) of the statutes; relating to: notice for child abuse, vulnerable adult, and harassment injunctions.

2003

- 08-14-03. A. Introduced by Representatives Pettis, Hahn, Albers, Van Roy, Coggs, Hundertmark, F. Lasee, Kreibich and Bies; cosponsored by Senator Lassa.
- 08-14-03. A. Read first time and referred to committee on Children and Families. **332**
- 10-30-03. A. Public hearing held.
- 10-30-03. A. Executive action taken.
- 10-30-03. A. Assembly amendment **1** offered by committee on Children and Families. **475**
- 11-04-03. A. Report Assembly Amendment **1** adoption recommended by committee on Children and Families, Ayes 6, Noes 1 **476**
- 11-04-03. A. Report passage as amended recommended by committee on Children and Families, Ayes 7, Noes 0. **476**
- 11-04-03. A. Referred to committee on Rules. **476**

2004

- 01-28-04. A. Placed on calendar 2-3-2004 by committee on Rules.
- 02-03-04. A. Read a second time. **668**
- 02-03-04. A. Assembly amendment **1 adopted** **668**
- 02-03-04. A. Ordered to a third reading. **668**
- 02-03-04. A. Rules suspended. **668**
- 02-03-04. A. Read a third time and **passed**. **668**
- 02-03-04. A. Ordered immediately messaged. **668**
- 02-04-04. S. Received from Assembly. **597**
- 02-04-04. S. Read first time and referred to committee on Health, Children, Families, Aging and Long Term Care. **598**



Mark Pettis

STATE REPRESENTATIVE

AB 474
Hearing
Testimony
2/12/04

Senate Committee on Health, Children, Families, Aging and Long Term Care

Testimony on Assembly Bill 474

Representative Mark Pettis

February 12, 2004

Madame Chair and members of the committee, thank you for the opportunity to testify on Assembly Bill 474, relating to notice for child abuse, vulnerable adult, and harassment injunctions.

Assembly Bill 474 requires that an injunction to be effective as soon as the court issues it, as long as the abuser was served with the petition and notice of the injunctive hearing time. It would be effective, whether or not the offender was actually served the injunction.

This bill offers abuse victims additional protection because it closes a loophole in court ordered abuse and harassment injunctions. Often offenders will not show up at the injunctive hearing, knowing that the injunction ordered will not be effective if they are not personally served with it. Thus, when the temporary restraining order expires and the abuser has not been served the injunction, law enforcement does not have the authority to arrest the person for violating it.

**Chair:
Assembly Tourism Committee**

**CAPITOL OFFICE: P.O. Box 8953
Madison, WI 53708-8953
(608) 267-2365**

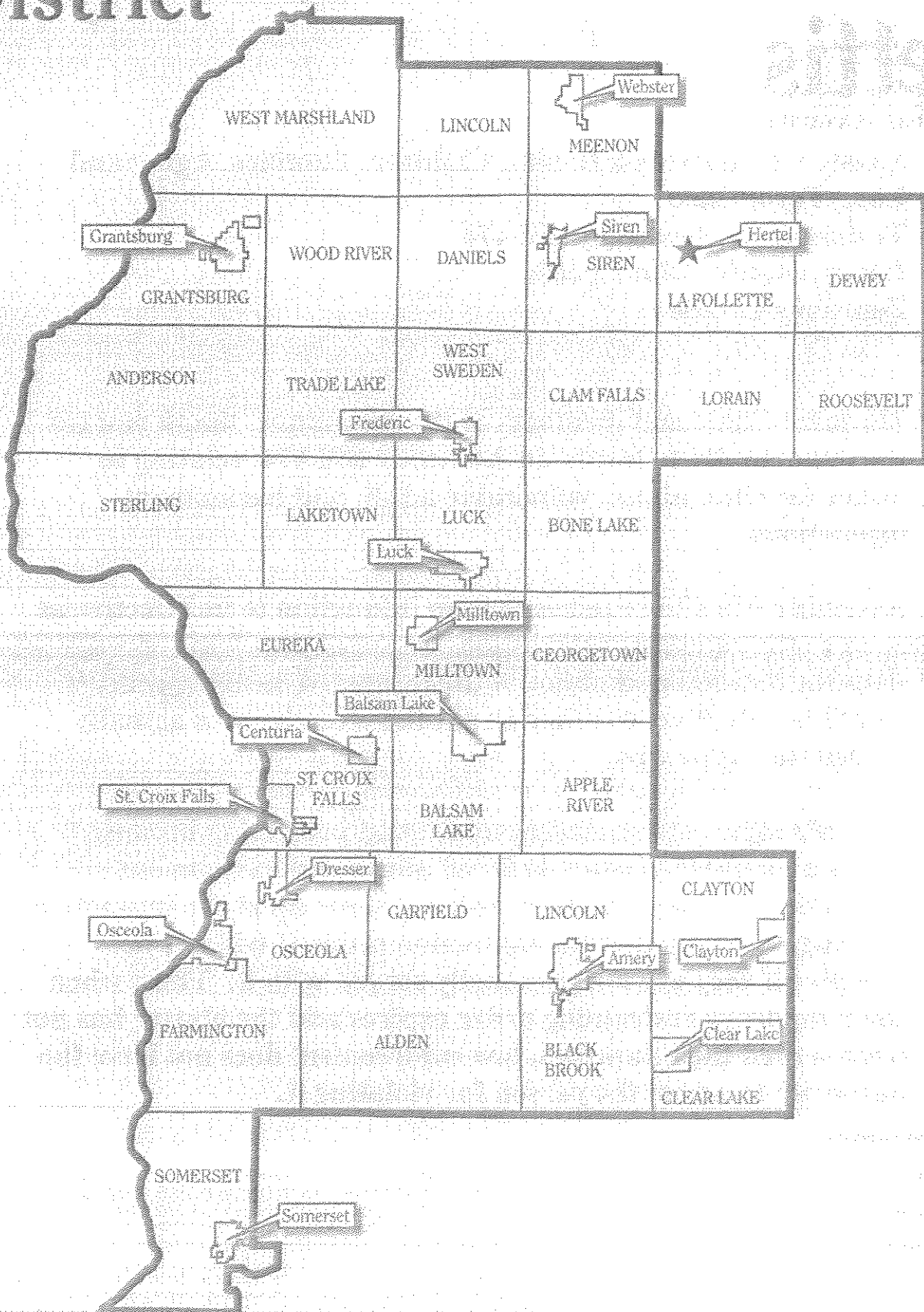
TOLL-FREE: (888) 529-0028

FAX: (608) 282-3628

E-MAIL: Rep.Pettis@legis.state.wi.us

**HOME: 3830 State Road 70
Hertel, WI 54845
(715) 349-2206
(715) 349-7844 Fax**

28th Assembly District



**The Association of State Prosecutors and the Wisconsin
Coalition of Domestic Violence support this bill.**

**I urge the committee to consider and support this legislation.
Thank you for your time. Please feel free to ask me any
questions.**

Vote Record

Committee on Health, Children, Families, Aging and Long Term Care

Date: 2/18
 Moved by: Roessler Seconded by: Walch

AB 474 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

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Senator Carol Roessler, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ted Kanavas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Ronald Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Welch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Dale Schultz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Judith Robson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Charles Chvala	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Robert Jauch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Tim Carpenter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>9</u>	<u>0</u>	_____	_____

Motion Carried Motion Failed