

1981 Assembly Bill 737

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## CHAPTER 152 , Laws of 1981

AN ACT to amend 59.47 (7), 752.31 (2) (c) and (d) and 808.04 (2) (a); and to create 752.31 (2) (q) of the statutes, relating to proceedings before the court of appeals.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 59.47 (7) of the statutes is amended to read:

59.47 (7) Upon the request and under the supervision and direction of the attorney general, brief and argue all criminal cases brought by appeal or writ of error or certified from his or her county to the court of appeals or supreme court. The district attorney of the county in which the case was filed shall represent the state in any appeal or other proceeding regarding that case which is heard decided by a single court of appeals judge, as specified in s. 752.31 (3).

NOTE: Subsection (7) is amended to clarify that the district attorney represents the state in appeals or other proceedings which are decided by a single court of appeals judge under s. 752.31. Subsection (7) is also amended to clarify that under s. 752.31 a case is decided by a single court of appeals judge rather than heard. Some single-judge appeals or other proceedings are not heard, as oral argument may not take place in the case. The amendments to the statute

are intended to harmonize the statute with the changes made to s. 752.31 by chapter 192, laws of 1979.

SECTION 2. 752.31 (2) (c) and (d) of the statutes are amended to read:

752.31 (2) (c) Cases involving violations of traffic regulations, as defined in s. 345.20 (1) (a), and cases under s. 343.305.

(d) Cases under ~~ch.~~ chs. 51 and 55.

SECTION 3. 752.31 (2) (g) of the statutes is created to read:

752.31 (2) (g) Cases involving civil forfeitures.

NOTE: Subsection (2) is amended to provide that cases under ch. 55, like cases under ch. 51, are decided as specified in sub. (3) and to clarify that cases under s. 343.305 are also decided as specified in sub. (3). Cases under ch. 55 and forfeitures are to be decided in the same manner as the other types of cases specified in sub. (2).

SECTION 4. 808.04 (2) (a) of the statutes is amended to read:

808.04 (2) (a) Subsection (1) does not apply to an appeal for which a specific time period for initiating an appeal is expressly provided by law. Appeals for which special time periods are provided include: s. 9.10 (4) (a) (recall), 30.30 (3) (c) (harbor improvements), 32.05 (13) (condemnation), 32.06 (13) (condemnation), 48.911 (adoption proceedings), 62.075 (4) (detachment of farm lands), 66.014 (7) (b) (municipal incorporation), 66.021 (10) (b) (annexation), 66.05 (8) (c) (razing buildings), 66.435 (4) (b) (urban renewal), 87.16 (flood control projects), 88.09 (2) (drainage of lands), 102.25 (1) (worker's compensation), 111.07 (7) (employment relations commission), 117.03 (5) (school district reorganization), 128.15 (1) (objections to creditors' claims), 128.20 (2) (settlement of receiver's or assignee's accounts), 182.60 (10) (b) (special economic improvement districts), 186.29 (5) (revaluation of credit union shares), 215.32 (12) (revaluation of savings and loan accounts), 227.21 (review of administrative agency decisions), 227.26 (enforcement of laws attacked in federal court), 779.29 (log liens), 786.03 (conveyance: specific performance), 808.07 ~~(6)~~ (7) (eviction actions), 879.27 (3) (probate court), 879.31 (extension of probate court appeals) and 974.02 (criminal, juvenile, civil commitment and protective placement cases).

NOTE: Subsection (2) (a) is amended to correct the erroneous reference to s. 808.07 (6) for eviction actions. Eviction actions are governed by s. 808.07 (7).

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