

1969 Senate Bill 143

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CHAPTER 449, LAWS OF 1969

AN ACT to repeal 20.923 (1) (a) 5; to amend 59.395 (5), 59.42 (1) (a) and (e), 253.07 (1), 253.35 (3) and (4) and 271.21; and to create 253.35 (2m) of the statutes, relating to the compensation of county court reporters and increasing the suit tax and certain court fees.

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

SECTION 1. 20.923 (1) (a) 5 of the statutes is repealed.

SECTION 2. 59.395 (5) of the statutes, as affected by chapter 276, laws of 1969, is amended to read:

59.395 (5) Pay ~~quarterly~~ *monthly* to the county treasurer for the use of the state the state tax required to be paid on each civil action, cognovit judgment and special proceeding filed during the preceding ~~quarter~~ *month*, after adjustments for transfer of cases between the circuit and county courts. Such payments shall be made by the fifteenth day of ~~January, April, July and October~~ *the month following receipt thereof*. The clerk shall take duplicate receipts from the treasurer and shall forward one receipt to the secretary of administration within 10 days with a certificate of the number of actions, cognovit judgments and special proceedings filed during the preceding ~~quarter~~ *month*.

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SECTION 3. 59.42 (1) (a) and (e) of the statutes are amended to read:

59.42 (1) (a) If there is a dismissal or plea of guilty or nolo contendere, ~~§5~~ \$6;

(e) An additional fee of ~~§2~~ \$3 shall be assessed against the defendant and when paid by him shall be paid into the state treasury.

SECTION 4. 253.07 (1) of the statutes, as affected by chapter 55, laws of 1969, is amended to read:

253.07 COUNTY JUDGES' SALARIES. (1) Every county judge shall receive from the state the salary specified for him in s. 20.923.

(a) In counties having a population of 500,000 or more, such salary shall be paid by the county and the state shall monthly reimburse the county one twenty-fourth of his salary specified in s. 20.923. In such counties ~~having a population of 500,000 or more~~, the state shall monthly reimburse the county for one-half of the employer contributions of the county judge ~~and county court reporters~~ who are members of the retirement system created by chapter 201, laws of 1937, as amended, to the extent of the salary specified in s. 20.923 for each county judge ~~and county court reporter~~ and for one-half of the employer social security contributions for such judges ~~and court reporters~~. The county auditor in such counties shall certify said amounts each month to the ~~department of administration which~~ administrative director of courts who shall audit these charges and within 30 days certify the same for payment. ~~The~~

(b) In counties having a population of less than 500,000, ~~the~~ county for which each judge is elected, ~~except in counties having a population of 500,000 or more~~, shall reimburse the state for one-half of his annual salary specified in s. 20.923, and for one-half of the employer contributions paid on behalf of the county judges ~~and county court reporters~~ under s. ~~66.80~~ judge. If 2 such counties share a single judge, each shall reimburse the state for one-half of the amount under this subsection. On October 1 of each year the department of administration shall certify to the secretary of state a statement of the amount due from each county under this section for the previous fiscal year. These amounts shall then be certified by the secretary of state to the respective counties and levied, collected and paid into the state treasury as a special charge, at the same time as the state taxes.

SECTION 5. 253.35 (2m) of the statutes is created to read:

253.35 (2m) The salary range for county court reporter shall be established as an amount equal to the salary range for stenographic reporter 2 in the state classification and compensation plan for positions in the classified service. As of January 1, 1970, salaries of county reporter incumbents shall be at the minimum range 12 set for stenographic reporter 2 in the state classification and compensation plan. Pay adjustments based on merit may be granted annually beginning July 1, 1971, by the appointing officer and they shall be in an amount equal to the salary range step for stenographic reporter 2. If the stenographic reporter 2 classification is abolished or reduced in salary grade, the salary range and other provisions related thereto shall remain in effect as to county court reporters, subject to change by the legislature. The rate payable on original appointment shall be the minimum of salary range.

SECTION 6. 253.35 (3) and (4) of the statutes are amended to read:

253.35 (3) ~~Except as hereinafter provided for reporters in~~ In counties having a population of ~~less than 500,000 or more~~, every reporter appointed under sub. (1) shall receive from the state the salary specified for him in ~~s. 20.923 sub. (2m)~~. The county for which each reporter is appointed shall ~~monthly~~ reimburse the state for ~~one-half~~ one twenty-fourth of his salary as described in s. ~~253.07 (1) sub. (2m)~~ and one twenty-fourth of the annual employer contributions paid on behalf of the county court re-

porters under s. 66.89. The county may pay an equal amount to each county court reporter in addition to that specified in ~~s. 20.023 sub. (2m)~~. If 2 counties share a single reporter, each shall reimburse the state for ~~one-quarter of his salary~~ *one-half of the amount under this subsection*. Compensation paid to any assistant reporter appointed under sub. (1) shall be paid by the county.

(4) In counties having a population of 500,000 or more every reporter appointed under sub. (1) shall receive the salary specified for him by ~~s. 20.023 sub. (2m)~~, directly from the county. The state shall monthly reimburse the county for ~~one-half~~ *one twenty-fourth* of his salary specified in ~~s. 20.023 sub. (2m)~~, *for one-half of the employer contributions of each reporter who is a member of the retirement system under chapter 201, laws of 1937, to the extent of such salary and for one-half of the employer social security contributions for the reporter*. The county may pay each county court reporter compensation in addition to that specified in ~~s. 20.023 sub. (2m)~~, but such additional compensation shall be the same for each such reporter. All reporters of the district, civil, county and children's court of such county who have civil service status in such county on December 31, 1961, shall retain such status as reporter in the county court. Such reporters who are members of the county employers' retirement system on said date shall remain as members subject to all provisions of the retirement system law included in chapter 201, laws of 1937, as amended, and all such reporters thereafter appointed shall likewise be members of said system. In no event shall any of the aforesaid reporters be considered members of the Wisconsin retirement system.

SECTION 7. 271.21 of the statutes, as affected by chapters 324 and 325, laws of 1967, is amended to read:

271.21 (1) In each civil action, special proceeding, except probate proceedings, and cognovit judgment in the circuit or county court, excluding all matters brought into the probate branches, a suit tax of \$7 shall be paid at the time the action is commenced, except that ~~in~~:

(a) In actions by small claim type procedure ~~and~~, *the suit tax is \$1*.

(b) In forfeiture actions in the county court, the tax is ~~\$1~~ \$3.

(2) A municipality need not advance the ~~\$1~~ suit tax but shall be exempt from payment of such tax until the defendant pays costs pursuant to s. 299.25.

(3) The suit tax paid in circuit court shall be paid into the state treasury after any credits are applied for transfer of cases to the county court, in which case the rule governing remittance from the county court shall apply; ~~the~~. *The suit tax paid in county courts shall be paid one-half into the state treasury and one-half into the county treasury after any credit for transfer of cases to circuit court.*

(4) An additional suit tax of \$2 shall be collected from defendants in all actions for violations of traffic regulations enacted under s. 349.06, and shall be paid into the state treasury.

SECTION 8. If Senate Bill 565 is enacted into law, the changes made thereby in sections 59.42 (1) (e), 253.07 (1) and 271.21 of the statutes and the changes made in those sections by this act shall not be deemed in conflict, but shall be merged. The suit tax in criminal actions and forfeiture actions under sections 59.42 (1) (e) and 271.21, respectively, as affected by both acts, shall be \$3.

SECTION 9. (1) SECTIONS 1 and 5 shall take effect January 1, 1970.

(2) SECTIONS 4 and 6 shall take effect January 1, 1970, to first apply to salaries earned in January 1970. The first reimbursements thereunder shall be made in February 1970. The reimbursement for salaries paid from July 1, 1969, to December 31, 1969, shall be made in accordance with the provisions of law in effect prior to enactment of SECTIONS 7 and 9.

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(3) SECTIONS 2, 3 and 7 shall take effect on November 1, 1969.

SECTION 10. When the increased compensation herein is inadequate it shall be taken from the general fund.

Approved February 13, 1970.
