

1999 DRAFTING REQUEST

Assembly Amendment (AA-AB583)

Received: 01/07/2000

Received By: **shoveme**

Wanted: As time permits

Identical to LRB:

For: **Tom Hebl (608) 266-7678**

By/Representing: **Andy**

This file may be shown to any legislator: **NO**

Drafter: **shoveme**

May Contact: **Jane Licht**

Alt. Drafters: **kahlepj**

Subject: **Counties**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Register of deeds, new requirements for recording and filing documents

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	shoveme 01/25/2000	csicilia 01/25/2000	hhagen 01/26/2000	_____	lrb_docadmin 01/26/2000	lrb_docadmin 01/26/2000	
	kahlepj 01/31/2000	csicilia 01/31/2000		_____			
/2			martykr 01/31/2000	_____	lrb_docadmin 01/31/2000	lrb_docadmin 01/31/2000	

FE Sent For:

<END>

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FE Sent For:

1/2 gjs 1/31
dm 1/31
Suit 1/31

<END>

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/1	shoveme	1 gjs 1/25 oo	wh/26	wh/EF 1/26			

FE Sent For:

<END>

Shovers, Marc

From: Wiesner, Andrew
Sent: Friday, January 07, 2000 10:02 AM
To: Shovers, Marc
Subject: AB 583 Amendment

Marc, there's one (hopefully final) amendment for AB 583, the registers of deeds bill. Here's the language:

Thanks,

Andy.

-----Original Message-----

From: Jane C. Licht [mailto:licht@co.dane.wi.us]
Sent: Tuesday, January 04, 2000 2:43 PM
To: andrew.wiesner@legis.state.wi.us
Cc: adamsrod@maqs.net; markl@racineco.com
Subject: Amendment from the floor

Dear Andy:

This is the language for the Adams County amendment: Page 13, line 25 } Any such document shall also contain the document number ^{or} AND the volume and page ^{numbers} of any original mortgage or land contract that the document affects _f if the volume and page are given on the original mortgage or land contract.

Jane Licht
New



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1164/1
MES&PJK.....

g
gs

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 583

SOON
(1-24-99)

2/ notes

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 13, line 25: delete "or" and substitute "and".
- 3 2. Page 14, line 1: after "affects" insert "if the volume and page numbers are
- 4 given on the original mortgage or land contract".

(END)

D-note

A If your instructions omitted the word "numbers" from page 14, line 1, and did not include it in the language you added. If it is your intent to omit "numbers", the amendment must be redrafted.

MES
M 3/8

C

Insert PSK D-note →

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1164/1dn
MES&PJK...:....

9/95

I did not make any changes to the language of the amendment (in addition to the one that Marc mentions in his drafter's note), because I'm not sure what is intended by the submitted language. What the submitted language means is that only if the volume and page numbers were given on the original mortgage or land contract do the document number and the volume and page numbers of the original mortgage or land contract have to be included on the document being recorded or filed. If the volume and page numbers were not given on the original mortgage or land contract, *neither* the document number *nor* the volume and page numbers need to be included. I'm pretty sure that is not what is intended. I assume that what is intended is that the document number of the original mortgage or land contract must be included on the document being recorded or filed and, if the volume and page numbers were given on the original mortgage or land contract, the volume and page numbers must also be included on the document. If that is the intention, the amendment should be redrafted.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us

END D-NOTE

C

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBa1164/1dn
MES&PJK:cjs:hmh

January 26, 2000

Your instruction omitted the word "numbers" from page 14, line 1, and did not include it in the language you added. If it is your intent to omit "numbers", the amendment must be redrafted.

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: Marc.Shovers@legis.state.wi.us

I did not make any changes to the language of the amendment (in addition to the one that Marc mentions in his drafter's note), because I'm not sure what is intended by the submitted language. What the submitted language means is that only if the volume and page numbers were given on the original mortgage or land contract do the document number and the volume and page numbers of the original mortgage or land contract have to be included on the document being recorded or filed. If the volume and page numbers were not given on the original mortgage or land contract, *neither* the document number *nor* the volume and page numbers need to be included. I'm pretty sure that is not what is intended. I assume that what is intended is that the document number of the original mortgage or land contract must be included on the document being recorded or filed and, if the volume and page numbers were given on the original mortgage or land contract, the volume and page numbers must also be included on the document. If that is the intention, the amendment should be redrafted.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: Pam.Kahler@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1164/1
MES&PJK:cjs:hmh

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 583

Redraft instructions:

- 1) every doc must have doc # recorded
- 2) line # page # must be recorded only when available

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

2 1. Page 13, line 25: delete "or" and substitute "and".

3 2. Page 14, line 2: after "affects" insert "if the volume and page numbers are
4 given on the original mortgage or land contract".

5 (END)



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBa1164/2
MES&PJK:cjs:hmh

rm not run

ASSEMBLY AMENDMENT,
TO 1999 ASSEMBLY BILL 583

needed today (mon)

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

2 ~~1. Page 13, line 25: delete "or" and substitute "and".~~

3 ~~2. Page 14, line 2: after "affects" insert "if the volume and page numbers are~~

4 ~~given on the original mortgage or land contract".~~

5 ~~(END)~~

#. Page 13, line 18: delete the material beginning with that line and ending with page 14, line 2, and substitute:



1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1164/lins
MES&PJK:cjs:hmh

✓ ✕
“706.05 (2m) (a) Except as provided in par. (b), any document submitted for recording or filing that is to be indexed in the real estate records, any document submitted for recording or filing that modifies an original mortgage or land contract and any subordination agreement submitted for recording or filing shall contain the full legal description of the property to which it relates if the document or subordination agreement is intended to relate to a particular parcel of land. The legal description may be included on the document or may be attached to the document. Any such document shall also contain the ~~volume number and page~~ document number of any original mortgage or land contract that the document affects and, if given on the original mortgage or land contract, the volume and page numbers of the original mortgage or land contract.” ✓

History: 1971 c. 211; 1977 c. 217, 253, 447; 1979 c. 221; 1983 a. 492 s. 3; 1985 a. 174; 1991 a. 66, 269; 1993 a. 145, 486; 1995 a. 110, 201; 1997 a. 35.

(End)

CCC

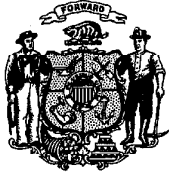
LRBall64

MES + PJK

1999 AB-583
(AA4)

#. Page 1, line 2: delete "8" and
substitute "18".

JLG



State of Wisconsin
1999-2000 LEGISLATURE

CORRECTIONS IN:

**ASSEMBLY AMENDMENT 4,
TO 1999 ASSEMBLY BILL 583**

Prepared by the Legislative Reference Bureau
(February 16, 2000)

1. Page 1, line 2: delete "8" and substitute "18".

LRBa1164/2ccc-1

JLG:ch

Minor clerical corrections in legislation are authorized under s. 35.17, stats.; Senate Rule 31, Assembly Rule 37 and Joint Rule 56.