

2001 DRAFTING REQUEST

Bill

Received: **11/20/2000**

Received By: **nelsorp1**

Wanted: **As time permits**

Identical to LRB:

For: **David Ward (608) 266-3790**

By/Representing: **Kim**

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

Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - costs and fees**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Witness fees in courts of record

Instructions:

See Attached 99-3973

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>
/?	nelsorp1 12/01/2000	jdye 12/04/2000		_____			S&L
/1			martykr 12/04/2000	_____	lrb_docadmin 12/04/2000	lrb_docadmin 12/08/2000	

FE Sent For:

<END>

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1/?	nelsorp1	1 12/4 jld	Am 12/4	PK Am 12/4			

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<END>

ASSEMBLY BILL 683 (LRB-3973)

An Act to amend 814.67 (1) (b) 1. of the statutes; relating to: fees paid to witnesses in courts other than municipal court.

2000

- 02-01. A. Introduced by Representatives Ward, Nass, Hundertmark, Kelso, Ladwig, Miller, Musser, Olsen, Pettis, Plale, Plouff, Ryba, Townsend and Underheim; cosponsored by Senators Darling, Farrow, Fitzgerald, Huelsman, Roessler and Schultz.
- 02-01. A. Read first time and referred to committee on Judiciary and Personal Privacy
- 617
- 03-16. A. Fiscal estimate received .
- 03-16. A. Public hearing held .
- 03-16. A. Executive action taken .
- 03-22. A. Report passage recommended by committee on Judiciary and Personal Privacy, Ayes 9, Noes 0
- 799
- 03-22. A. Referred to committee on Rules
- 799
- 03-23. A. Placed on calendar 3-29-2000 by committee on Rules .
- 03-29. A. Read a second time
- 869
- 03-29. A. Ordered to a third reading
- 869
- 03-29. A. Rules suspended
- 884
- 03-29. A. Read a third time and passed
- 884
- 03-29. A. Ordered immediately messaged
- 884
- 03-30. S. Received from Assembly
- 565
- 03-30. S. Read first time and referred to committee on Judiciary and Consumer Affairs
- 567
- 04-06. S. Failed to concur in pursuant to Senate Joint Resolution 1
- 583

2001
1999 ASSEMBLY BILL 683

D-Note

February 1, 2000 - Introduced by Representatives WARD, NASS, HUNDERTMARK, KELSO, LADWIG, MILLER, MUSSER, OLSEN, PETTIS, PLALE, PLOUFF, RYBA, TOWNSEND and UNDERHEIM, cosponsored by Senators DARLING, FARROW, FITZGERALD, HUELSMAN, ROESSLER and SCHULTZ. Referred to Committee on Judiciary and Personal Privacy.

Regen

1 AN ACT to amend 814.67 (1) (b) 1. of the statutes; relating to: fees paid to
2 witnesses in courts other than municipal court.

Analysis by the Legislative Reference Bureau

Under current law, the fee paid to a witness to attend a circuit court is \$16 per day of attendance. This bill allows the county board to establish a higher fee. The amount established for witness fees is also the fee paid to witnesses in hearing before office of credit unions and before the savings bank review board.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 814.67 (1) (b) 1. of the statutes is amended to read:

814.67 (1) (b) 1. For witnesses, \$16 per day, or such higher fees as the county board may establish.

(END)

Insert and
when

RWF
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4
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6

2001-2002 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1134/?ins

.....

insert anl:

~~NO~~
~~4~~ Current law also requires the payment of witness fees at the rate paid by circuit courts to witnesses at administrative hearing and other proceedings before state and local agencies, including the following:

1. County civil service commission hearings.
2. Tax ~~Appeal~~ ~~Commission~~ hearings.
3. Labor and ~~Industry~~ ~~Review~~ ~~Commission~~ hearings.
4. Commissioner of ~~Railroads~~ hearings.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1134¹/₃dn

RPN.....

Jld

As you may notice, I changed this draft slightly because the fee established in this statutory section controls the fees paid in many other proceedings, such as hearings before state agencies. Thus, I wanted to be sure that the fee paid to the witness will be the same within the same county, no matter before which agency or court the witness is testifying.

Robert P. Nelson
Senior Legislative Attorney
Phone: (608) 267-7511
E-mail: robert.nelson@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1134/1dn
RPN:jld:km

December 4, 2000

As you may notice, I changed this draft slightly because the fee established in this statutory section controls the fees paid in many other proceedings, such as hearings before state agencies. Thus, I wanted to be sure that the fee paid to the witness will be the same within the same county, no matter before which agency or court the witness is testifying.

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State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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5TH FLOOR
MADISON, WI 53701-2037

STEPHEN R. MILLER
CHIEF

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

December 4, 2000

MEMORANDUM

To: Representative Ward

From: Robert P. Nelson, Senior Legislative Attorney

Re: LRB-1134 Witness fees in courts of record

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 267-7511 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.