

**2015 DRAFTING REQUEST**

**Bill**

Received: 1/6/2015 Received By: chanaman  
Wanted: As time permits Same as LRB:  
For: Administration-Budget 267-0370 By/Representing: Potts  
May Contact: Drafter: tkuczens  
Subject: Courts - miscellaneous/other Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email:  
Carbon copy (CC) to: tracy.kuczenski@legis.wisconsin.gov  
sbostatlanguage@webapps.wi.gov

---

**Pre Topic:**

DOA:.....Potts, BB0381 -

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**Topic:**

Compile -0783, -0790, -0791, -0803, -0804, -0960, -1120

---

**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>
/P1	tkuczens 1/16/2015	wjackson 1/22/2015	jfrantze 1/14/2015	_____	lparisi 1/14/2015		State
/P2	tkuczens 1/28/2015	wjackson 1/28/2015	rschluet 1/22/2015	_____	sbasford 1/22/2015		State
/P3			jfrantze 1/28/2015	_____	lparisi 1/28/2015		State

FE Sent For:

<END>

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/P1	tkuczens 1/16/2015	wjackson 1/22/2015	jfrantze 1/14/2015	_____	lparisi 1/14/2015		State
/P2			rschluet 1/22/2015	_____	sbasford 1/22/2015		State

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**Topic:**

-0790s  
Compile -0783, -0791, -0803, -0804, -0960, -1120 ✓  
^

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**Instructions:**

See attached

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**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>
/P1	chanaman 1/8/2015	kfollett 1/14/2015	jfrantze 1/14/2015	_____	lparisi 1/14/2015		State

FE Sent For:

p2 wlg 1/22  
J  
22/5  
SN  
<END>  
Jo  
1/28

**2015 DRAFTING REQUEST**

**Bill**

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**Pre Topic:**

DOA:.....Potts, BB0381 -

---

**Topic:**

Compile -0783, -0791, -0803, -0804, -0960 ✓

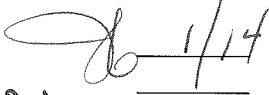
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**Instructions:**

See attached

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**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>
/P1	chanaman	1/15/14 1/14		1/14			

FE Sent For:

<END>

## Hanaman, Cathlene

---

**From:** Kuczenski, Tracy  
**Sent:** Tuesday, January 06, 2015 11:25 AM  
**To:** Hanaman, Cathlene  
**Subject:** FW: Statutory Language Drafting Request - BB0381

Hiya – can you please compile these?

Thanks!

Tracy K. Kuczenski  
*Senior Legislative Attorney*  
Wisconsin Legislative Reference Bureau  
tracy.kuczenski@legis.wisconsin.gov  
(608) 266-9867

---

**From:** CathleneH [mailto:cathleneh@gmail.com]  
**Sent:** Tuesday, December 30, 2014 11:02 AM  
**To:** Kuczenski, Tracy; Hurley, Peggy  
**Cc:** Hanaman, Cathlene  
**Subject:** Fwd: Statutory Language Drafting Request - BB0381

I will compile these this weekend-- but FYI

Sent from my iPhone

Begin forwarded message:

**From:** <andrew.potts@wisconsin.gov>  
**Date:** December 30, 2014 at 12:55:39 PM AST  
**To:** <cathlene.hanaman@legis.wisconsin.gov>  
**Cc:** <Caitlin.Frederick@wisconsin.gov>, <Andrew.Potts@wisconsin.gov>, <Christopher.Connor@wisconsin.gov>  
**Subject:** Statutory Language Drafting Request - BB0381

Biennial Budget: 2015-17

DOA Tracking Code: BB0381

Topic: Consolidated Supreme Court draft

SBO Team: AEJ

SBO Analyst: Potts, Andrew  
Phone: 608-267-0370  
E-mail: [andrew.potts@wisconsin.gov](mailto:andrew.potts@wisconsin.gov)

Agency Acronym: SupCt

Agency Number: 680

Priority: High

Intent:

Consolidate drafts LRB-0783/P1 (modified to eliminate Judicial Council, but retain funding appropriation), 0791/P2, 0803/P1, 0804/P1, and 0960/P1.

Attachments: False

Please send completed drafts to [SBOSlanguage@webapps.wi.gov](mailto:SBOSlanguage@webapps.wi.gov)

1/16/15 T. conf. w/ Andy

- ① add LRB-0790/P3  
LRB-1120/P1 > into LRB-1117
- ② repeal & recreate 758.19(5) (just direct director of state  
costs to pay air. cost  
costs & derive from)
- ③ change alpha for 20.680(3)(F) → (m)  
p. 3 ln. 6 and 8
- ④ change alpha for 20.680(2)(C) → (L)  
p. 4 line 1
- ⑤ repeal 20.670 in its entirety (not just (1))  
p. 3 ln. 11
- ⑥ am. 20.625(1)(a) to strike "reporters and  
assistant reporters"

## Barman, Mike

---

**From:** Hanaman, Cathlene  
**Sent:** Tuesday, January 06, 2015 1:42 PM  
**To:** Barman, Mike  
**Subject:** RE: -0117 is a compile

No, -1117. Sorry.

---

**From:** Barman, Mike  
**Sent:** Tuesday, January 06, 2015 1:40 PM  
**To:** Hanaman, Cathlene  
**Subject:** RE: -0117 is a compile

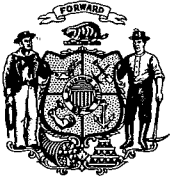
Do you mean LRB-0807?

---

**From:** Hanaman, Cathlene  
**Sent:** Tuesday, January 06, 2015 1:26 PM  
**To:** Parisi, Lori; Barman, Mike; Rose, Stefanie; Basford, Sarah  
**Subject:** -0117 is a compile

The drafts to be compiled are listed on the request sheet in the Leg Topic space.





# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 01/07/2015 (Per: CMH & TKK)

### **☞ Compile Draft – Appendix**

**Appendix A** ☞ The 2015 drafting file for LRB-0783

**Appendix B** ☞ The 2015 drafting file for LRB-0791

**Appendix C** ☞ The 2015 drafting file for LRB-0803

**Appendix D** ☞ The 2015 drafting file for LRB-0804

**Appendix E** ☞ The 2015 drafting file for LRB-0960

has been copied/added to the drafting file for

**2015 LRB-1117**



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-1117/P1  
TKK:...

insert

all

DOA:.....Potts, BB0381 - Compile -0783, -0791, -0803, -0804, -0960

**FOR 2015-2017 BUDGET - NOT READY FOR INTRODUCTION**

UPS:  
Turn off  
burning dots

1/8/15

1/15

Don't Gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

\*\*\* ANALYSIS FROM -0783/P1 \*\*\*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

This bill eliminates the Judicial Council's general purpose revenue appropriations and transfers the council's program revenue appropriation to the Supreme Court.

\*\*\* ANALYSIS FROM -0791/P2 \*\*\*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

This bill consolidates general purpose revenue appropriations for the director of state courts and the state law library.

\*\*\* ANALYSIS FROM -0803/P1 \*\*\*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Currently, with limited exceptions, a person paying certain court fees, such as a fee to commence a civil action or a small claims action, must also pay a \$21.50 justice information system surcharge. This bill eliminates the exceptions to the payment of the surcharge.

**\*\*\* ANALYSIS FROM -0804/P1 \*\*\*  
COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Under current law, with certain exceptions, a defendant in a forfeiture action in circuit court must pay a fee of \$25 when judgment is entered against the defendant. This bill eliminates the exceptions to the payment of the fee.

**\*\*\* ANALYSIS FROM -0960/P1 \*\*\*  
COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Under current law, the judicial commission, composed of five nonlawyers appointed by the governor with the consent of the senate and two judges and two state bar members appointed by the supreme court, investigates any misconduct or permanent disability of a judge or court commissioner. The supreme court reviews the actions of the judicial commission and determines the appropriate discipline or action to take in response to the judicial commission's investigation.

The bill moves the appropriations for administering the judicial commission to the supreme court.

For further information see the *state* 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:*

- 1           \***-0960/P1.1**\*SECTION 1. 20.665 (title) of the statutes is repealed.
- 2           \***-0960/P1.2**\*SECTION 2. 20.665 (intro.) of the statutes is repealed.
- 3           \***-0960/P1.3**\*SECTION 3. 20.665 (1) (title) of the statutes is repealed.
- 4           \***-0960/P1.4**\*SECTION 4. 20.665 (1) (a) and (cm) of the statutes are
- 5 consolidated, renumbered 20.680 (3) (d) and amended to read:
- 6           20.680 (3) (d) *General Judicial commission general program operations and*
- 7 *contractual agreements.* ~~The Biennially, the~~ amounts in the schedule for the general
- 8 program operations of the judicial commission. ~~(cm) Contractual agreements.~~
- 9 ~~Biennially, the amounts in the schedule~~ and for payments relating to contractual
- 10 agreements for investigations or, prosecutions, or both.

*Insert Analysis*

*Insert 2-1*

8

1           \***-0960/P1.5**\*SECTION 5. 20.665 (1) (mm) of the statutes is renumbered 20.680  
2           (3) (f) and amended to read:

3           20.680 (3) (f) *Federal aid; judicial commission.* All federal moneys received as  
4           authorized under s. 16.54 and approved by the joint committee on finance to carry  
5           out the purposes for which made and received.

6           \***-0783/P1.1**\*SECTION 6. 20.670 (title) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           \***-0783/P1.2**\*SECTION 7. 20.670 (intro.) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8           \***-0783/P1.3**\*SECTION 8. 20.670(1) (title) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9           \***-0783/P1.4**\*SECTION 9. 20.670 (1) (a) of the statutes is repealed.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          \***-0783/P1.5**\*SECTION 10. 20.670 (1) (k) of the statutes is renumbered 20.680

11          (1) (k) and amended to read:

12          20.680 (1) (k) *Director of state courts and law library transfer.* All moneys  
13          received from the appropriations under s. 20.680 sub. (2) (a) to (ke) and (4) (a) to (h)  
14          for the purposes of the judicial council under s. 758.13.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15          \***-0791/P2.1**\*SECTION 11. 20.670 (1) (k) of the statutes is amended to read:

16          20.670 (1) (k) *Director of state courts and law library transfer.* All moneys  
17          received from the appropriations under s. 20.680 (2) (a) to (ke) and (4) (a) to (h) for  
18          the purposes of the judicial council under s. 758.13.

      \*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1 \***-0783/P1.6**\*SECTION 12. 20.670 (1) (m) of the statutes is repealed.  
\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2 \***-0791/P2.2**\*SECTION 13. 20.680 (2) (title) of the statutes is amended to read:  
3 20.680 (2) (title) DIRECTOR OF STATE COURTS AND LAW LIBRARY.

4 \***-0791/P2.3**\*SECTION 14. 20.680 (2) (a) of the statutes is amended to read:  
5 20.680 (2) (a) *General program operations*. ~~The~~ Biennially, the amounts in the  
6 schedule to carry into effect the functions of the director of state courts and general  
7 program operations for the state law library.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

8 \***-0791/P2.4**\*SECTION 15. 20.680 (2) (b) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 \***-0791/P2.5**\*SECTION 16. 20.680 (4) (title) of the statutes is repealed.

10 \***-0791/P2.6**\*SECTION 17. 20.680 (4) (a) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 \***-0791/P2.7**\*SECTION 18. 20.680 (4) (g) of the statutes is renumbered 20.680  
12 (2) (c).

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

13 \***-0791/P2.8**\*SECTION 19. 20.680 (4) (h) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14 \***-0783/P1.7**\*SECTION 20. 751.20 of the statutes is amended to read:  
15 **751.20 Transfer authority**. Notwithstanding s. 20.680 (2) (a) to (ke) and (4)  
16 (a) to (h), the supreme court may transfer money from the appropriations under  
17 20.680 (2) (a) to (ke) and (4) (a) to (h) to the appropriation under s. ~~20.670~~ 20.680 (1)  
18 (k) for the purposes of the judicial council under s. 758.13.

[Insert 4-14]

1           \*~~0791/P2.9~~\*SECTION 21. 751.20 of the statutes is amended to read:

2           **751.20 Transfer authority.** Notwithstanding s. 20.680 (2) (a) to (ke) and (4)  
3           ~~(a) to (h)~~, the supreme court may transfer money from the appropriations under  
4           20.680 (2) (a) to (ke) and ~~(4) (a) to (h)~~ to the appropriation under s. 20.670 (1) (k) for  
5           the purposes of the judicial council under s. 758.13.

6           \*~~0783/P1.8~~\*SECTION 22. 758.13 (1) (b) of the statutes is amended to read:

7           758.13 (1) (b) The names of the judicial council members shall be certified to  
8           the secretary of state by the judicial council attorney. Members shall hold office until  
9           their successors have been selected. Members shall receive no compensation, but  
10          shall be reimbursed from the appropriation made by s. ~~20.670~~ 20.680 (1) (k) for  
11          expenses necessarily incurred by members in attending council meetings.

12          \*~~0804/P1.1~~\*SECTION 23. 814.63 (1) (b) of the statutes is renumbered 814.63  
13          (1).

14          \*~~0804/P1.2~~\*SECTION 24. 814.63 (1) (c) of the statutes is repealed.

15          \*~~0804/P1.3~~\*SECTION 25. 814.63 (5) of the statutes is amended to read:

16          814.63 (5) Of the fees received by the clerk under sub. (1) ~~(b)~~, the county  
17          treasurer shall pay \$17.50 to the secretary of administration for deposit in the  
18          general fund and shall retain the balance for the use of the county. The secretary of  
19          administration shall credit \$5 of the \$17.50 to the appropriation under s. 20.680 (2)  
20          (j).

21          \*~~0803/P1.1~~\*SECTION 26. 814.86 (1) of the statutes is amended to read:

22          814.86 (1) ~~Except for an action for a financial responsibility violation under s.~~  
23          ~~344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use violation~~  
24          ~~under s. 347.48 (2m), the~~ The clerk of circuit court shall charge and collect a \$21.50  
25          justice information system surcharge from any person, including any governmental

1 unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am),  
2 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system  
3 surcharge is in addition to the surcharge listed in sub. (1m).

4

**(END)**



*Insert Analysis*  
**State of Wisconsin**  
**2015 - 2016 LEGISLATURE**



LRB-1050/P1  
TKK:eev:rs

DOA:.....Potts, BB0366 – Repeal the Judicial Council

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to: the budget.**

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

*Insert Analysis*  
Under current law, the Judicial Council consists of 21 designated or appointed members, including a supreme court justice, one court of appeals judge, four circuit court judges, the chairpersons of the senate and assembly committees dealing with judicial affairs or their designees, and the attorney general or his or her designee. Current law empowers the council to investigate and report on matters including the following: 1) to advise the Supreme Court of changes to the rules of pleading, practice, and procedure that would simplify procedure and promote a speedy determination of litigation on its merits; 2) to study the organization, jurisdiction, and methods of administration and operation of all the courts in the state; and 3) to recommend to the legislature changes to the business of the courts that can only be accomplished through legislation. This bill eliminates the Judicial Council and its appropriations.

For further information see the *state* 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:***



Begin Insert  
2-1

1

SECTION 1. 16.74 (2) (b) of the statutes is amended to read:

2

16.74 (2) (b) Contracts for purchases by the senate or assembly shall be signed

3

by an individual designated by the organization committee of the house making the

4

purchase. Contracts for other legislative branch purchases shall be signed by an

5

individual designated by the joint committee on legislative organization. Contracts

6

for purchases by the judicial commission ~~or judicial council~~ shall be signed by an

7

individual designated by the ~~commission or council~~, respectively. Contracts for other

8

judicial branch purchases shall be signed by an individual designated by the director

End  
2-1

9

of state courts.

10

SECTION 2. 20.670 of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Begin  
4-4

11

SECTION 3. 20.923 (6) (d) of the statutes is repealed.

12

SECTION 4. 230.08 (2) (wh) of the statutes is repealed.

13

SECTION 5. 751.12 (5) of the statutes is repealed.

14

SECTION 6. 751.20 of the statutes is repealed.

End  
4-4

15

SECTION 7. 758.13 of the statutes is repealed.

16

(END)



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-1117/P1 P2

TKK:all:jf

-0990

stays inserts

DOA:.....Potts, BB0381 - Compile -0783, -0791, -0803, -0804, -0960

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

in 1/16/15

~~Please  
Sorted:  
staff will  
move.~~

Sorted -  
which will  
make proofreading  
more difficult.  
Sorry. WJ

-1/20

Do Not Gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Insert Analysis A

This bill consolidates general purpose revenue appropriations for the director of state courts and the state law library.

Currently, with limited exceptions, a person paying certain court fees, such as a fee to commence a civil action or a small claims action, must also pay a \$21.50 justice information system surcharge. This bill eliminates the exceptions to the payment of the surcharge.

Under current law, with certain exceptions, a defendant in a forfeiture action in circuit court must pay a fee of \$25 when judgment is entered against the defendant. This bill eliminates the exceptions to the payment of the fee.

Insert Analysis B

Under current law, the judicial commission, composed of five nonlawyers appointed by the governor with the consent of the senate and two judges and two state bar members appointed by the supreme court, investigates any misconduct or permanent disability of a judge or court commissioner. The supreme court reviews the actions of the judicial commission and determines the appropriate discipline or action to take in response to the judicial commission's investigation. (NOT)

The bill moves the appropriations for administering the judicial commission to the supreme court.

Under current law, the Judicial Council consists of 21 designated or appointed members, including a supreme court justice, one court of appeals judge, four circuit

court judges, the chairpersons of the senate and assembly committees dealing with judicial affairs or their designees, and the attorney general or his or her designee. Current law empowers the council to investigate and report on matters including the following: 1) to advise the Supreme Court of changes to the rules of pleading, practice, and procedure that would simplify procedure and promote a speedy determination of litigation on its merits; 2) to study the organization, jurisdiction, and methods of administration and operation of all the courts in the state; and 3) to recommend to the legislature changes to the business of the courts that can only be accomplished through legislation. This bill eliminates the Judicial Council and its appropriations.

Anal: Space

For further information see the *state* 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:***

1 SECTION 1. 16.74 (2) (b) of the statutes is amended to read:

2 16.74 (2) (b) Contracts for purchases by the senate or assembly shall be signed  
3 by an individual designated by the organization committee of the house making the  
4 purchase. Contracts for other legislative branch purchases shall be signed by an  
5 individual designated by the joint committee on legislative organization. Contracts  
6 for purchases by the judicial commission ~~or judicial council~~ shall be signed by an  
7 individual designated by the commission ~~or council~~, respectively. Contracts for other  
8 judicial branch purchases shall be signed by an individual designated by the director  
9 of state courts.

Insert  
--10  
A  
B  
C

10 SECTION 2. 20.665 (title) of the statutes is repealed.

11 SECTION 3. 20.665 (intro.) of the statutes is repealed.  
\*\*\*\* NOTE: bud

12 SECTION 4. 20.665 (1) (title) of the statutes is repealed.  
\*\*\*\* NOTE: bud

13 SECTION 5. 20.665 (1) (a) and (cm) of the statutes are consolidated, renumbered  
14 20.680 (3) (d) and amended to read:

1           20.680 (3) (d) General Judicial commission general program operations and  
 2           contractual agreements. ~~The Biennially, the~~ amounts in the schedule for the general  
 3           program operations of the judicial commission. ~~(cm) Contractual agreements.~~  
 4           Biennially, the amounts in the schedule and for payments relating to contractual  
 5           agreements for investigations or, prosecutions, or both. (M)

6           XXXX NOTE: bud  
 SECTION 6. 20.665 (1) (mm) of the statutes is renumbered 20.680 (3) (f) and  
 7           amended to read:

8           20.680 (3) (f) Federal aid; judicial commission. All federal moneys received as  
 9           authorized under s. 16.54 and approved by the joint committee on finance to carry  
 10          out the purposes for which made and received.

11          XXXX NOTE: bud  
 SECTION 7. 20.670 (1) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12          SECTION 8. 20.680 (2) (title) of the statutes is amended to read:

13          20.680 (2) (title) DIRECTOR OF STATE COURTS AND LAW LIBRARY.

14          XXXX NOTE: bud  
 SECTION 9. 20.680 (2) (a) of the statutes is amended to read:

15          20.680 (2) (a) General program operations. ~~The Biennially, the~~ amounts in the  
 16          schedule to carry into effect the functions of the director of state courts and general  
 17          program operations for the state law library.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18          SECTION 10. 20.680 (2) (b) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

19          SECTION 11. 20.680 (4) (title) of the statutes is repealed.

20          XXXX NOTE: bud  
 SECTION 12. 20.680 (4) (a) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

Insert  
3-19

1

SECTION 13. 20.680 (4) (g) of the statutes is renumbered 20.680 (2) (c). <sup>(L)</sup>

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2

SECTION 14. 20.680 (4) (h) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3

SECTION 15. 20.923 (6) (d) of the statutes is repealed.

4

SECTION 16. 230.08 (2) (wh) of the statutes is repealed.

Insert  
1-7

5

SECTION 17. 751.12 (5) of the statutes is repealed.

6

SECTION 18. 751.20 of the statutes is repealed.

Insert  
1-8  
A  
B

7

SECTION 19. 758.13 of the statutes is repealed.

8

SECTION 20. 814.63 (1) (b) of the statutes is renumbered 814.63 (1).

Insert  
1-10

9

SECTION 21. 814.63 (1) (c) of the statutes is repealed.

10

SECTION 22. 814.63 (5) of the statutes is amended to read:

11

814.63 (5) Of the fees received by the clerk under sub. (1) (b), the county

12

treasurer shall pay \$17.50 to the secretary of administration for deposit in the

13

general fund and shall retain the balance for the use of the county. The secretary of

14

administration shall credit \$5 of the \$17.50 to the appropriation under s. 20.680 (2)

Insert  
1-16

15

(j).

16

SECTION 23. 814.86 (1) of the statutes is amended to read:

17

814.86 (1) ~~Except for an action for a financial responsibility violation under s.~~

18

~~344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use violation~~

19

~~under s. 347.48 (2m), the~~ The clerk of circuit court shall charge and collect a \$21.50

20

justice information system surcharge from any person, including any governmental

21

unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am),

1 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system  
2 surcharge is in addition to the surcharge listed in sub. (1m).

3 (END)

Insert  
5-3  
A  
B  
C  
D

2015-2016 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-1117/P1ins  
TKK:all:jf

INSERT 2-10B

1 SECTION 1. 20.625 (1) (a) of the statutes is amended to read:  
2 20.625 (1) (a) *Circuit courts*. A sum sufficient for salaries and expenses of the  
3 judges, ~~reporters and assistant reporters~~ of the circuit courts.

History: 1971 c. 125; 1975 c. 39, 283; 1977 c. 187 s. 135; 1977 c. 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 34; 1983 a. 27; 1987 a. 399; 1989 a. 122; 1991 a. 39; 1993 a. 16, 206; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16; 2005 a. 130; 2009 a. 28; 2011 a. 32.

INSERT 3-19

4 SECTION 2. 20.680 (3) (title) of the statutes is amended to read:  
5 20.680 (3) (title) BAR EXAMINERS AND RESPONSIBILITY; JUDICIAL COMMISSION.

History: 1971 c. 125, 215; 1971 c. 254 s. 19; 1973 c. 90; 1975 c. 37; 1977 c. 26, 29; 1977 c. 187 s. 135; 1977 c. 418; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 34; 1981 c. 20; 1983 a. 27, 158; 1985 a. 29, 340; 1987 a. 27, 399; 1989 a. 31; 1991 a. 32, 39, 269; 1993 a. 16, 491; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2001 a. 16, 103, 105; 2003 a. 33, 139; 2005 a. 25, 157; 2007 a. 20; 2009 a. 28.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

INSERT 4-8A

6 SECTION 3. <sup>758</sup>788.19 (5) of the statutes is repealed and recreated to read:  
7 <sup>758</sup>788.19 (5) From the appropriation under s. 20.625 (1) (cg), the director of state  
8 courts shall make payments to counties for circuit court costs. The director of state  
9 courts shall define "circuit court costs" for purposes of this subsection.



DOA:.....Potts, BB0265 - Circuit Court funding

**FOR 2015-2017 BUDGET — NOT READY FOR INTRODUCTION**

6

6

1 **AN ACT to repeal** 20.505 (1) (id) 8., 20.625 (1) (as), 20.625 (1) (c), 20.625 (1) (d),  
 2 20.625 (1) (e), 753.061 (5), 758.19 (5) (a), 758.19 (5) (b), 758.19 (5) (c), 758.19 (5)  
 3 (h), 758.19 (6) and 758.19 (8); **to amend** 20.455 (2) (i) (intro.), 20.505 (1) (id)  
 4 (intro.), 20.625 (1) (k), 758.19 (5) (d), 758.19 (5) (f), 758.19 (5) (g) and 885.38 (8)  
 5 (a) 1.; **to create** 20.455 (2) (i) 16., 20.625 (1) (cg) and 758.19 (5) (ag) of the  
 6 statutes; and **to affect** 2009 Wisconsin Act 28, section 9109 (1); **relating to:** the  
 7 budget.

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**CIRCUIT COURTS**

This bill consolidates several general purpose revenue appropriations, related to circuit court costs, to the director of state courts into one biennial appropriation and requires the director to define circuit court costs.

Insert  
Analysis  
A

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

6



SECTION 1

Begin Insert  
2-10  
A

1 SECTION 1. 20.455 (2) (i) (intro.) of the statutes is amended to read:

2 20.455 (2) (i) *Penalty surcharge, receipts.* (intro.) The amounts in the schedule

3 for the purposes of s. 165.85 (5) (b) and for crime laboratory equipment. All moneys

4 received from the penalty surcharge on court fines and forfeitures under s. 757.05

5 (2) and all moneys transferred to this appropriation account from the appropriation

6 accounts specified in subds. 1. to ~~15~~ 16. shall be credited to this appropriation

7 account. Moneys may be transferred from this paragraph to pars. (j), (ja), and (jb)

8 by the secretary of administration for expenditures based upon determinations by

9 the department of justice. The following amounts shall be transferred to the

10 following appropriation accounts:

11 SECTION 2. 20.455 (2) (i) 16. of the statutes is created to read:

12 20.455 (2) (i) 16. The amount transferred to s. 20.625 (1) (k) shall be the amount

13 in the schedule under s. 20.625 (1) (k).

14 SECTION 3. 20.505 (1) (id) (intro.) of the statutes is amended to read:

15 20.505 (1) (id) *Justice information fee receipts.* (intro.) All moneys less

16 \$700,000 received from the justice information surcharge under s. 814.86 (1) for the

17 purpose of annually transferring the amounts indicated in subds. 1. to ~~8~~ 7. The

18 following amounts shall be transferred to the following appropriation accounts:

End  
insert  
2-10 A19

19 SECTION 4. 20.505 (1) (id) 8. of the statutes is repealed.

Begin  
Insert  
2-10 C

20 SECTION 5. ~~20.625 (1) (as) of the statutes is repealed.~~

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

21 SECTION 6. 20.625 (1) (c) of the statutes is repealed.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

22 SECTION 7. 20.625 (1) (cg) of the statutes is created to read:

1           20.625 (1) (cg) *Circuit court costs*. Biennially, the amounts in the schedule to  
2           make payments to counties for circuit court costs under s. 758.19 (5) (d).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3           **SECTION 8.** 20.625 (1) (d) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 9.** 20.625 (1) (e) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 10.** 20.625 (1) (k) of the statutes is amended to read:

6           20.625 (1) (k) *Court interpreters*. The amounts in the schedule to pay  
7           interpreter fees reimbursed under s. 758.19 (8) and ~~2009 Wisconsin Act 28, section~~  
8           ~~9109 (1)~~. All moneys transferred from the appropriation account under s. 20.505 (1)  
9           ~~(id) 8.~~ 20.455 (2) (i) 16. shall be credited to this appropriation account.  
10          Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
11          shall be transferred to the appropriation account under s. 20.455 (2) (i).

12          **SECTION 11.** 753.061 (5) of the statutes is repealed.

13          **SECTION 12.** 758.19 (5) (a) of the statutes is repealed.

14          **SECTION 13.** 758.19 (5) (ag) of the statutes is created to read:

15          758.19 (5) (ag) The director of state courts shall define "circuit court costs" for  
16          purposes of this subsection.

17          **SECTION 14.** 758.19 (5) (b) of the statutes is repealed.

18          **SECTION 15.** 758.19 (5) (c) of the statutes is repealed.

19          **SECTION 16.** 758.19 (5) (d) of the statutes is amended to read:

20          758.19 (5) (d) ~~Except~~ From the appropriation under s. 20.625 (1) (cg), the  
21          director of state courts shall make payments to counties for circuit court costs.

End  
Insert  
2-10 C  
Insert  
4-7

1 Except as provided in par. (e), no action is required of and no condition may be  
2 imposed on a county to receive a payment under ~~par. (b)~~ this paragraph, including  
3 applying for, submitting information in connection with, entering into a  
4 memorandum of understanding concerning, or making any other agreement  
5 regarding the payment. Except as provided in pars. (f) and (g), the director of state  
6 courts may not withhold payment under ~~par. (b)~~ this paragraph to a county.

7 SECTION 17. 758.19 (5) (f) of the statutes is amended to read:

8 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not  
9 eligible for a payment under par. ~~(b)~~ (d) for one fiscal year, as defined in s. 237.01 (3),  
10 after the May 15 that the information was not provided, or until the information is  
11 provided, whichever is earlier. Except as provided in this paragraph and par. (g), the  
12 information regarding the amount of actual costs reported under par. (e) does not  
13 affect the amount paid to a county under par. ~~(b)~~ (d).

14 SECTION 18. 758.19 (5) (g) of the statutes is amended to read:

15 758.19 (5) (g) ~~Beginning with the submittal of information under par. (e) on~~  
16 ~~July 1, 1995, if~~ If the director of state courts determines, based on the information  
17 submitted under par. (e), that the payment made to a county under par. ~~(b)~~ (d) for any  
18 calendar year exceeds the circuit court costs incurred by the county for that calendar  
19 year, the director of state courts shall may deduct the difference from the next  
20 payment under par. ~~(b)~~ (d) made to that county after the director's determination.  
21 The difference shall may be apportioned as ~~provided in par. (e)~~ among the other  
22 counties for payment under par. ~~(b)~~ (d) to the other counties on that payment date.  
23 ~~For purposes of this paragraph, the director of state courts shall treat the period~~  
24 ~~beginning on August 13, 1993, and ending on December 31, 1994, as a calendar year~~  
25 ~~and determine from the information submitted under par. (e) on July 1, 1994, and~~

6  
 1 ~~July 1, 1995, whether the payment to a county under par. (b) on January 1, 1994,~~  
 2 ~~exceeds the circuit court costs incurred by the county for the period beginning on~~  
 3 ~~August 13, 1993, and ending on December 31, 1994.~~  
 4 SECTION 19. 758.19 (5) (h) of the statutes is repealed.

Begin  
Insert

4-8B

End 4-8B

Begin  
Insert

5-3A

End  
Insert 5-3A

Insert 5-3  
C

13

14

5 SECTION 20. 758.19 (6) of the statutes is repealed.  
 6 SECTION 21. 758.19 (8) of the statutes is repealed.  
 7 SECTION 22. 885.38 (8) (a) 1. of the statutes is amended to read:  
 8 885.38 (8) (a) 1. The county in which the circuit court is located shall pay the  
 9 expenses in all proceedings before a circuit court and when the clerk of circuit court  
 10 uses a qualified interpreter under sub. (3) (d). The county shall be reimbursed as  
 11 provided in the manner determined by the director of state courts under s. 758.19 (8)  
 12 for expenses paid under this subdivision.  
 13 SECTION 23. 2009 Wisconsin Act 28, section 9109 (1) is repealed.

(END)



DOA:.....Potts, BB0400 – Blood Withdrawal Surcharge

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Under current law, if a person is required to appear in a circuit court or in a municipal court to answer a charge of operating an all-terrain vehicle, a snowmobile, a motor vehicle, or a boat under the influence of an intoxicant or with a prohibited blood alcohol concentration, the court, upon finding that the person committed the violation, imposes and collects from the person any costs charged to, paid by, or expected to be charged to, a law enforcement agency to withdraw the person's blood.

Under the bill, a court also imposes on and collects from a person who operates an aircraft under the influence of an intoxicant or with a prohibited blood alcohol concentration, the costs charged to, paid by, or expected to be charged to, a law enforcement agency to collect the person's blood.

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. 814.63 (3m) (a) of the statutes is amended to read:

*Insert  
Analysis  
B*

*Begin  
Insert  
4-10*

2

1 814.63 (3m) (a) Except as provided in par. (d), if a defendant is required to  
 2 appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the  
 3 court shall impose and collect from the defendant any costs charged to or paid by a  
 4 law enforcement agency for the withdrawal of the defendant's blood if the court finds  
 5 that the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101, or a local  
 6 ordinance in conformity therewith.

End used 4-10

7 SECTION 2. 814.65 (4m) (a) of the statutes is amended to read:

Begin used 4-16

8 814.65 (4m) (a) Except as provided in par. (d), if a defendant is required to  
 9 appear in municipal court, in addition to any forfeiture, costs, fees, or surcharges it  
 10 imposes, the municipal court shall impose and collect from the defendant any costs  
 11 charged to or paid by a law enforcement agency for the withdrawal of the defendant's  
 12 blood if the court finds that the defendant violated a local ordinance in conformity  
 13 with s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101.

End used 4-16

14 SECTION 3. 973.06 (1) (j) of the statutes is amended to read:

Begin used 5-3B

15 973.06 (1) (j) If the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63,  
 16 350.101, 940.09 (1), or 940.25, any costs charged to or paid by a law enforcement  
 17 agency for the withdrawal of the defendant's blood, except that the court may not  
 18 impose on the defendant any cost for an alternative test provided free of charge as  
 19 described in s. 343.305 (4). If at the time the court finds that the defendant  
 20 committed the violation, the law enforcement agency has not paid or been charged  
 21 with the costs of withdrawing the person's blood, the court shall impose and collect  
 22 the costs the law enforcement agency reasonably expects to be charged for the  
 23 withdrawal, based on the current charges for this procedure. Notwithstanding sub.  
 24 (2), the court may not remit these costs.

End used 5-3B

25 SECTION 9307. Initial applicability; Circuit Courts.

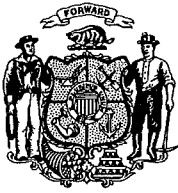
Begin used 5-3D

1           (1) COSTS OF BLOOD WITHDRAWALS. The treatment of sections 814.63 (3m) (a),  
2           814.65 (4m) (a), and 973.06 (1) (j) of the statutes first applies to a blood withdrawal  
3           that occurs on the effective date of this subsection.

4

(END)

End  
5-3D



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-1117/P2-P3

TKK:all:rs

Stays

d-note

DOA:.....Potts, BB0381 – Compile -0783, -0790, -0791, -0803, -0804, -0960,  
-1120

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

1/28/15

Do Not Gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**CIRCUIT COURTS**

This bill consolidates several general purpose revenue appropriations, related to circuit court costs, to the director of state courts into one biennial appropriation and requires the director to define circuit court costs.

**OTHER COURTS AND PROCEDURE**

This bill consolidates general purpose revenue appropriations for the director of state courts and the state law library.

Currently, with limited exceptions, a person paying certain court fees, such as a fee to commence a civil action or a small claims action, must also pay a \$21.50 justice information system surcharge. This bill eliminates the exceptions to the payment of the surcharge.

Under current law, with certain exceptions, a defendant in a forfeiture action in circuit court must pay a fee of \$25 when judgment is entered against the defendant. This bill eliminates the exceptions to the payment of the fee.

Under current law, if a person is required to appear in a circuit court or in a municipal court to answer a charge of operating an all-terrain vehicle, a snowmobile, a motor vehicle, or a boat under the influence of an intoxicant or with a prohibited



blood alcohol concentration, the court, upon finding that the person committed the violation, imposes and collects from the person any costs charged to, paid by, or expected to be charged to, a law enforcement agency to withdraw the person's blood.

Under the bill, a court also imposes on and collects from a person who operates an aircraft under the influence of an intoxicant or with a prohibited blood alcohol concentration, the costs charged to, paid by, or expected to be charged to, a law enforcement agency to collect the person's blood.

Under current law, the Judicial Commission, composed of five nonlawyers appointed by the governor with the consent of the senate and two judges and two state bar members appointed by the supreme court, investigates any misconduct or permanent disability of a judge or court commissioner. The supreme court reviews the actions of the Judicial Commission and determines the appropriate discipline or action to take in response to the judicial commission's investigation. The bill moves the appropriations for administering the Judicial Commission to the supreme court.

Under current law, the Judicial Council consists of 21 designated or appointed members, including a supreme court justice, one court of appeals judge, four circuit court judges, the chairpersons of the senate and assembly committees dealing with judicial affairs or their designees, and the attorney general or his or her designee. Current law empowers the council to investigate and report on matters including the following: 1) to advise the supreme court of changes to the rules of pleading, practice, and procedure that would simplify procedure and promote a speedy determination of litigation on its merits; 2) to study the organization, jurisdiction, and methods of administration and operation of all the courts in the state; and 3) to recommend to the legislature changes to the business of the courts that can be accomplished only through legislation. This bill eliminates the Judicial Council and its appropriations.

For further information see the *state* 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:*

1           **SECTION 1.** 16.74 (2) (b) of the statutes is amended to read:  
2           16.74 (2) (b) Contracts for purchases by the senate or assembly shall be signed  
3 by an individual designated by the organization committee of the house making the  
4 purchase. Contracts for other legislative branch purchases shall be signed by an  
5 individual designated by the joint committee on legislative organization. Contracts  
6 for purchases by the judicial commission ~~or judicial council~~ shall be signed by an  
7 individual designated by the commission ~~or council~~, respectively. Contracts for other

1 judicial branch purchases shall be signed by an individual designated by the director  
2 of state courts.

3 **SECTION 2.** 20.455 (2) (i) (intro.) of the statutes is amended to read:

4 20.455 (2) (i) *Penalty surcharge, receipts.* (intro.) The amounts in the schedule  
5 for the purposes of s. 165.85 (5) (b) and for crime laboratory equipment. All moneys  
6 received from the penalty surcharge on court fines and forfeitures under s. 757.05  
7 (2) and all moneys transferred to this appropriation account from the appropriation  
8 accounts specified in subds. 1. to ~~15~~ 16. shall be credited to this appropriation  
9 account. Moneys may be transferred from this paragraph to pars. (j), (ja), and (jb)  
10 by the secretary of administration for expenditures based upon determinations by  
11 the department of justice. The following amounts shall be transferred to the  
12 following appropriation accounts:

13 **SECTION 3.** 20.455 (2) (i) 16. of the statutes is created to read:

14 20.455 (2) (i) 16. The amount transferred to s. 20.625 (1) (k) shall be the amount  
15 in the schedule under s. 20.625 (1) (k).

16 **SECTION 4.** 20.505 (1) (id) (intro.) of the statutes is amended to read:

17 20.505 (1) (id) *Justice information fee receipts.* (intro.) All moneys less  
18 \$700,000 received from the justice information surcharge under s. 814.86 (1) for the  
19 purpose of annually transferring the amounts indicated in subds. 1. to ~~8~~ 7. The  
20 following amounts shall be transferred to the following appropriation accounts:

21 **SECTION 5.** 20.505 (1) (id) 8. of the statutes is repealed.

22 **SECTION 6.** 20.625 (1) (a) of the statutes is amended to read:

23 20.625 (1) (a) *Circuit courts.* A sum sufficient for salaries and expenses of the  
24 judges, ~~reporters and assistant reporters~~ of the circuit courts.

25 **SECTION 7.** 20.625 (1) (as) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1       **SECTION 8.** 20.625 (1) (c) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2       **SECTION 9.** 20.625 (1) (cg) of the statutes is created to read:

3       20.625 (1) (cg) *Circuit court costs.* Biennially, the amounts in the schedule to  
4       make payments to counties for circuit court costs under s. 758.19 (5).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5       **SECTION 10.** 20.625 (1) (d) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6       **SECTION 11.** 20.625 (1) (e) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7       **SECTION 12.** 20.625 (1) (k) of the statutes is amended to read:

8       20.625 (1) (k) *Court interpreters.* The amounts in the schedule to pay  
9       interpreter fees reimbursed under s. 758.19 (8) and 2009 Wisconsin Act 28, section  
10       9109 (1). All moneys transferred from the appropriation account under s. 20.505 (1)  
11       (id) 8, 20.455 (2) (i) 16, shall be credited to this appropriation account.  
12       Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
13       shall be transferred to the appropriation account under s. 20.455 (2) (i).

14       **SECTION 13.** 20.665 (intro.) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15       **SECTION 14.** 20.665 (1) (title) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16       **SECTION 15.** 20.665 (1) (a) and (cm) of the statutes are consolidated,  
17       renumbered 20.680 (3) (d) and amended to read:

1           20.680 (3) (d) *General Judicial commission general program operations and*  
2           *contractual agreements.* ~~The Biennially, the~~ amounts in the schedule for the general  
3           program operations of the judicial commission. ~~(em) Contractual agreements.~~  
4           Biennially, ~~the amounts in the schedule~~ and for payments relating to contractual  
5           agreements for investigations or, prosecutions, or both.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 16.** 20.665 (1) (mm) of the statutes is renumbered 20.680 (3) (m) and  
7           amended to read:

8           20.680 (3) (m) *Federal aid; judicial commission.* All federal moneys received  
9           as authorized under s. 16.54 and approved by the joint committee on finance to carry  
10          out the purposes for which made and received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 17.** 20.670 of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 18.** 20.680 (2) (title) of the statutes is amended to read:

13          20.680 (2) (title) DIRECTOR OF STATE COURTS AND LAW LIBRARY.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

14          **SECTION 19.** 20.680 (2) (a) of the statutes is amended to read:

15          20.680 (2) (a) *General program operations.* ~~The Biennially, the~~ amounts in the  
16          schedule to carry into effect the functions of the director of state courts and general  
17          program operations for the state law library.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

18          **SECTION 20.** 20.680 (2) (b) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 21.** 20.680 (3) (title) of the statutes is amended to read:

2           20.680 (3) (title) BAR EXAMINERS AND RESPONSIBILITY; JUDICIAL COMMISSION.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3           **SECTION 22.** 20.680 (4) (title) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 23.** 20.680 (4) (a) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 24.** 20.680 (4) (g) of the statutes is renumbered 20.680 (2) (L).

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6           **SECTION 25.** 20.680 (4) (h) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 26.** 20.923 (6) (d) of the statutes is repealed.

8           **SECTION 27.** 230.08 (2) (wh) of the statutes is repealed.

9           **SECTION 28.** 751.12 (5) of the statutes is repealed.

10          **SECTION 29.** 751.20 of the statutes is repealed.

11          **SECTION 30.** 753.061 (5) of the statutes is repealed.

12          **SECTION 31.** 758.13 of the statutes is repealed.

13          **SECTION 32.** 758.19 (5) of the statutes is repealed and recreated to read:

14           758.19 (5) From the appropriation under s. 20.625 (1) (cg), the director of state  
15 courts shall make payments to counties for circuit court costs. The director of state  
16 courts shall define “circuit court costs” for purposes of this subsection.

17          **SECTION 33.** 758.19 (6) of the statutes is repealed.

18          **SECTION 34.** 758.19 (8) of the statutes is repealed.

19          **SECTION 35.** 814.63 (1) (b) of the statutes is renumbered 814.63 (1).

1           **SECTION 36.** 814.63 (1) (c) of the statutes is repealed.

2           **SECTION 37.** 814.63 (3m) (a) of the statutes is amended to read:

3           814.63 (3m) (a) Except as provided in par. (d), if a defendant is required to  
4 appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the  
5 court shall impose and collect from the defendant any costs charged to or paid by a  
6 law enforcement agency for the withdrawal of the defendant's blood if the court finds  
7 that the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101, or a local  
8 ordinance in conformity therewith.

9           **SECTION 38.** 814.63 (5) of the statutes is amended to read:

10          814.63 (5) Of the fees received by the clerk under sub. (1) ~~(b)~~, the county  
11 treasurer shall pay \$17.50 to the secretary of administration for deposit in the  
12 general fund and shall retain the balance for the use of the county. The secretary of  
13 administration shall credit \$5 of the \$17.50 to the appropriation under s. 20.680 (2)  
14 (j).

15          **SECTION 39.** 814.65 (4m) (a) of the statutes is amended to read:

16          814.65 (4m) (a) Except as provided in par. (d), if a defendant is required to  
17 appear in municipal court, in addition to any forfeiture, costs, fees, or surcharges it  
18 imposes, the municipal court shall impose and collect from the defendant any costs  
19 charged to or paid by a law enforcement agency for the withdrawal of the defendant's  
20 blood if the court finds that the defendant violated a local ordinance in conformity  
21 with s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101.

22          **SECTION 40.** 814.86 (1) of the statutes is amended to read:

23          814.86 (1) ~~Except for an action for a financial responsibility violation under s.~~  
24 ~~344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use violation~~  
25 ~~under s. 347.48 (2m), the~~ The clerk of circuit court shall charge and collect a \$21.50

1 justice information system surcharge from any person, including any governmental  
2 unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am),  
3 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system  
4 surcharge is in addition to the surcharge listed in sub. (1m).

5 **SECTION 41.** 885.38 (8) (a) 1. of the statutes is amended to read:

6 885.38 (8) (a) 1. The county in which the circuit court is located shall pay the  
7 expenses in all proceedings before a circuit court and when the clerk of circuit court  
8 uses a qualified interpreter under sub. (3) (d). The county shall be reimbursed as  
9 provided in the manner determined by the director of state courts under s. 758.19 (8)  
10 for expenses paid under this subdivision.

11 **SECTION 42.** 973.06 (1) (j) of the statutes is amended to read:

12 973.06 (1) (j) If the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63,  
13 350.101, 940.09 (1), or 940.25, any costs charged to or paid by a law enforcement  
14 agency for the withdrawal of the defendant's blood, except that the court may not  
15 impose on the defendant any cost for an alternative test provided free of charge as  
16 described in s. 343.305 (4). If at the time the court finds that the defendant  
17 committed the violation, the law enforcement agency has not paid or been charged  
18 with the costs of withdrawing the person's blood, the court shall impose and collect  
19 the costs the law enforcement agency reasonably expects to be charged for the  
20 withdrawal, based on the current charges for this procedure. Notwithstanding sub.  
21 (2), the court may not remit these costs.

22 **SECTION 43.** 2009 Wisconsin Act 28, section 9109 (1) is repealed.

23 **SECTION 9307. Initial applicability; Circuit Courts.**





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

LRB-1117/P2dn <sup>e</sup> P3dn  
TKK/all:rs

*e*  
*wj*

*Date*

This draft reconciles *and* LRB-1058/P1 and LRB-1117/P2. Both LRB-1058 *and* LRB-1117 should continue to appear in the compiled bill.

Tracy K. Kuczenski  
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**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1117/P3dn  
TKK.wlj:jf

January 28, 2015

This draft reconciles LRB-1117/P2 and LRB-1058/P1. Both LRB-1117 and LRB-1058 should continue to appear in the compiled bill.

Tracy K. Kuczenski  
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State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-1117/P3  
TKK:all:rs

DOA:.....Potts, BB0381 – Compile –0783, –0790, –0791, –0803, –0804, –0960,  
–1120

**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to: the budget.**

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*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**CIRCUIT COURTS**

This bill consolidates several general purpose revenue appropriations, related to circuit court costs, to the director of state courts into one biennial appropriation and requires the director to define circuit court costs.

**OTHER COURTS AND PROCEDURE**

This bill consolidates general purpose revenue appropriations for the director of state courts and the state law library.

Currently, with limited exceptions, a person paying certain court fees, such as a fee to commence a civil action or a small claims action, must also pay a \$21.50 justice information system surcharge. This bill eliminates the exceptions to the payment of the surcharge.

Under current law, with certain exceptions, a defendant in a forfeiture action in circuit court must pay a fee of \$25 when judgment is entered against the defendant. This bill eliminates the exceptions to the payment of the fee.

Under current law, if a person is required to appear in a circuit court or in a municipal court to answer a charge of operating an all-terrain vehicle, a snowmobile, a motor vehicle, or a boat under the influence of an intoxicant or with a prohibited

blood alcohol concentration, the court, upon finding that the person committed the violation, imposes and collects from the person any costs charged to, paid by, or expected to be charged to, a law enforcement agency to withdraw the person's blood.

Under the bill, a court also imposes on and collects from a person who operates an aircraft under the influence of an intoxicant or with a prohibited blood alcohol concentration, the costs charged to, paid by, or expected to be charged to, a law enforcement agency to collect the person's blood.

Under current law, the Judicial Commission, composed of five nonlawyers appointed by the governor with the consent of the senate and two judges and two state bar members appointed by the supreme court, investigates any misconduct or permanent disability of a judge or court commissioner. The supreme court reviews the actions of the Judicial Commission and determines the appropriate discipline or action to take in response to the judicial commission's investigation. The bill moves the appropriations for administering the Judicial Commission to the supreme court.

Under current law, the Judicial Council consists of 21 designated or appointed members, including a supreme court justice, one court of appeals judge, four circuit court judges, the chairpersons of the senate and assembly committees dealing with judicial affairs or their designees, and the attorney general or his or her designee. Current law empowers the council to investigate and report on matters including the following: 1) to advise the supreme court of changes to the rules of pleading, practice, and procedure that would simplify procedure and promote a speedy determination of litigation on its merits; 2) to study the organization, jurisdiction, and methods of administration and operation of all the courts in the state; and 3) to recommend to the legislature changes to the business of the courts that can be accomplished only through legislation. This bill eliminates the Judicial Council and its appropriations.

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

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

1           **SECTION 1.** 16.74 (2) (b) of the statutes is amended to read:  
2           16.74 (2) (b) Contracts for purchases by the senate or assembly shall be signed  
3 by an individual designated by the organization committee of the house making the  
4 purchase. Contracts for other legislative branch purchases shall be signed by an  
5 individual designated by the joint committee on legislative organization. Contracts  
6 for purchases by the judicial commission ~~or judicial council~~ shall be signed by an  
7 individual designated by the commission ~~or council, respectively~~. Contracts for other

1 judicial branch purchases shall be signed by an individual designated by the director  
2 of state courts.

3 **SECTION 2.** 20.455 (2) (i) 16. of the statutes is created to read:

4 20.455 (2) (i) 16. The amount transferred to s. 20.625 (1) (k) shall be the amount  
5 in the schedule under s. 20.625 (1) (k).

6 **SECTION 3.** 20.505 (1) (id) (intro.) of the statutes is amended to read:

7 20.505 (1) (id) *Justice information fee receipts.* (intro.) All moneys less  
8 \$700,000 received from the justice information surcharge under s. 814.86 (1) for the  
9 purpose of annually transferring the amounts indicated in subds. 1. to & 7. The  
10 following amounts shall be transferred to the following appropriation accounts:

11 **SECTION 4.** 20.505 (1) (id) 8. of the statutes is repealed.

12 **SECTION 5.** 20.625 (1) (a) of the statutes is amended to read:

13 20.625 (1) (a) *Circuit courts.* A sum sufficient for salaries and expenses of the  
14 judges, ~~reporters and assistant reporters~~ of the circuit courts.

15 **SECTION 6.** 20.625 (1) (as) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 7.** 20.625 (1) (c) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

17 **SECTION 8.** 20.625 (1) (cg) of the statutes is created to read:

18 20.625 (1) (cg) *Circuit court costs.* Biennially, the amounts in the schedule to  
19 make payments to counties for circuit court costs under s. 758.19 (5).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

20 **SECTION 9.** 20.625 (1) (d) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 10.** 20.625 (1) (e) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 11.** 20.625 (1) (k) of the statutes is amended to read:

3           20.625 (1) (k) *Court interpreters.* The amounts in the schedule to pay  
4 interpreter fees reimbursed under s. 758.19 (8) and ~~2009 Wisconsin Act 28, section~~  
5 ~~9109 (1).~~ All moneys transferred from the appropriation account under s. 20.505 (1)  
6 ~~(id) 8.~~ 20.455 (2) (i) 16. shall be credited to this appropriation account.  
7 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
8 shall be transferred to the appropriation account under s. 20.455 (2) (i).

9           **SECTION 12.** 20.665 (intro.) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

10          **SECTION 13.** 20.665 (1) (title) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 14.** 20.665 (1) (a) and (cm) of the statutes are consolidated,  
12 renumbered 20.680 (3) (d) and amended to read:

13           20.680 (3) (d) *General Judicial commission general program operations and*  
14 *contractual agreements.* ~~The Biennially,~~ the amounts in the schedule for the general  
15 program operations of the judicial commission. ~~(cm) Contractual agreements.~~  
16 ~~Biennially,~~ the amounts in the schedule and for payments relating to contractual  
17 agreements for investigations ~~or,~~ prosecutions, or both.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

18          **SECTION 15.** 20.665 (1) (mm) of the statutes is renumbered 20.680 (3) (m) and  
19 amended to read:

1           20.680 (3) (m) *Federal aid; judicial commission*. All federal moneys received  
2 as authorized under s. 16.54 and approved by the joint committee on finance to carry  
3 out the purposes for which made and received.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 16.** 20.670 of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

5           **SECTION 17.** 20.680 (2) (title) of the statutes is amended to read:

6           20.680 (2) (title) DIRECTOR OF STATE COURTS AND LAW LIBRARY.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

7           **SECTION 18.** 20.680 (2) (a) of the statutes is amended to read:

8           20.680 (2) (a) *General program operations*. ~~The Biennially~~, the amounts in the  
9 schedule to carry into effect the functions of the director of state courts and general  
10 program operations for the state law library.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11          **SECTION 19.** 20.680 (2) (b) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12          **SECTION 20.** 20.680 (3) (title) of the statutes is amended to read:

13          20.680 (3) (title) BAR EXAMINERS AND RESPONSIBILITY; JUDICIAL COMMISSION.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

14          **SECTION 21.** 20.680 (4) (title) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

15          **SECTION 22.** 20.680 (4) (a) of the statutes is repealed.

      \*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

16          **SECTION 23.** 20.680 (4) (g) of the statutes is renumbered 20.680 (2) (L).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1           **SECTION 24.** 20.680 (4) (h) of the statutes is repealed.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2           **SECTION 25.** 20.923 (6) (d) of the statutes is repealed.

3           **SECTION 26.** 230.08 (2) (wh) of the statutes is repealed.

4           **SECTION 27.** 751.12 (5) of the statutes is repealed.

5           **SECTION 28.** 751.20 of the statutes is repealed.

6           **SECTION 29.** 753.061 (5) of the statutes is repealed.

7           **SECTION 30.** 758.13 of the statutes is repealed.

8           **SECTION 31.** 758.19 (5) of the statutes is repealed and recreated to read:

9           **758.19 (5)** From the appropriation under s. 20.625 (1) (cg), the director of state  
10 courts shall make payments to counties for circuit court costs. The director of state  
11 courts shall define “circuit court costs” for purposes of this subsection.

12           **SECTION 32.** 758.19 (6) of the statutes is repealed.

13           **SECTION 33.** 758.19 (8) of the statutes is repealed.

14           **SECTION 34.** 814.63 (1) (b) of the statutes is renumbered 814.63 (1).

15           **SECTION 35.** 814.63 (1) (c) of the statutes is repealed.

16           **SECTION 36.** 814.63 (3m) (a) of the statutes is amended to read:

17           **814.63 (3m) (a)** Except as provided in par. (d), if a defendant is required to  
18 appear in court, in addition to any forfeiture, costs, fees, or surcharges it imposes, the  
19 court shall impose and collect from the defendant any costs charged to or paid by a  
20 law enforcement agency for the withdrawal of the defendant’s blood if the court finds  
21 that the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101, or a local  
22 ordinance in conformity therewith.



1           **SECTION 37.** 814.63 (5) of the statutes is amended to read:

2           814.63 (5) Of the fees received by the clerk under sub. (1) ~~(b)~~, the county  
3 treasurer shall pay \$17.50 to the secretary of administration for deposit in the  
4 general fund and shall retain the balance for the use of the county. The secretary of  
5 administration shall credit \$5 of the \$17.50 to the appropriation under s. 20.680 (2)  
6 (j).

7           **SECTION 38.** 814.65 (4m) (a) of the statutes is amended to read:

8           814.65 (4m) (a) Except as provided in par. (d), if a defendant is required to  
9 appear in municipal court, in addition to any forfeiture, costs, fees, or surcharges it  
10 imposes, the municipal court shall impose and collect from the defendant any costs  
11 charged to or paid by a law enforcement agency for the withdrawal of the defendant's  
12 blood if the court finds that the defendant violated a local ordinance in conformity  
13 with s. 23.33 (4c), 30.681, 114.09, 346.63, or 350.101.

14           **SECTION 39.** 814.86 (1) of the statutes is amended to read:

15           814.86 (1) ~~Except for an action for a financial responsibility violation under s.~~  
16 ~~344.62 (2), or for a violation under s. 343.51 (1m) (b) or a safety belt use violation~~  
17 ~~under s. 347.48 (2m), the~~ The clerk of circuit court shall charge and collect a \$21.50  
18 justice information system surcharge from any person, including any governmental  
19 unit, as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3), or (8) (am),  
20 814.62 (1), (2), or (3) (a) or (b), or 814.63 (1). The justice information system  
21 surcharge is in addition to the surcharge listed in sub. (1m).

22           **SECTION 40.** 885.38 (8) (a) 1. of the statutes is amended to read:

23           885.38 (8) (a) 1. The county in which the circuit court is located shall pay the  
24 expenses in all proceedings before a circuit court and when the clerk of circuit court  
25 uses a qualified interpreter under sub. (3) (d). The county shall be reimbursed as

1 provided in the manner determined by the director of state courts under s. 758.19 (8)  
2 for expenses paid under this subdivision.

3 **SECTION 41.** 973.06 (1) (j) of the statutes is amended to read:

4 973.06 (1) (j) If the defendant violated s. 23.33 (4c), 30.681, 114.09, 346.63,  
5 350.101, 940.09 (1), or 940.25, any costs charged to or paid by a law enforcement  
6 agency for the withdrawal of the defendant's blood, except that the court may not  
7 impose on the defendant any cost for an alternative test provided free of charge as  
8 described in s. 343.305 (4). If at the time the court finds that the defendant  
9 committed the violation, the law enforcement agency has not paid or been charged  
10 with the costs of withdrawing the person's blood, the court shall impose and collect  
11 the costs the law enforcement agency reasonably expects to be charged for the  
12 withdrawal, based on the current charges for this procedure. Notwithstanding sub.  
13 (2), the court may not remit these costs.

14 **SECTION 42.** 2009 Wisconsin Act 28, section 9109 (1) is repealed.

15 **SECTION 9307. Initial applicability; Circuit Courts.**

16 (1) COSTS OF BLOOD WITHDRAWALS. The treatment of sections 814.63 (3m) (a),  
17 814.65 (4m) (a), and 973.06 (1) (j) of the statutes first applies to a blood withdrawal  
18 that occurs on the effective date of this subsection.

19 (END)