



State of Wisconsin
2017 - 2018 LEGISLATURE
August 2017 Special Session

LRBa1210/1
SWB:wlj

**SENATE AMENDMENT 13,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1**

September 12, 2017 - Offered by Senator FITZGERALD.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 35, line 4: delete the material beginning with that line and ending with
3 page 36, line 6, and substitute:

4 **"SECTION 59s.** 808.04 (7p) of the statutes is created to read:

5 808.04 (7p) An appeal from a judgment or order under s. 809.104 shall be
6 initiated by filing the notice required by s. 809.104 (2) (b) within 30 days after the
7 date of entry of the judgment or order appealed from.

8 **SECTION 59t.** 809.104 of the statutes is created to read:

9 **809.104 Appeal of decisions relating to electronics and information**
10 **technology manufacturing zone. (1) APPLICABILITY.** This section applies to the
11 appeal of a judgment or order vacating, enjoining, reviewing, or otherwise relating
12 to a decision by a state or local official, board, commission, condemnor, authority, or

1 department concerning an electronics and information technology manufacturing
2 zone designated under s. 238.396 (1m) and supersedes all inconsistent provisions of
3 this chapter.

4 (2) APPEAL AS OF RIGHT. (a) Notwithstanding s. 808.03 (1), an appeal from a
5 judgment or order of the trial court vacating, enjoining, reviewing, or otherwise
6 relating to a decision by a state or local official, board, commission, condemnor,
7 authority, or department concerning an electronics and information technology
8 manufacturing zone designated under s. 238.396 (1m) may be taken to as a matter
9 of right and is governed by this section.

10 (b) A party may initiate an appeal under this section by filing a notice of appeal
11 with the clerk of the trial court in which the order or judgment appealed from was
12 entered and shall specify in the notice of appeal the order or judgment appealed from.
13 The appellant shall pay the filing fee with the notice of appeal. The clerk of the circuit
14 court shall transmit to the court of appeals, within 3 days of the filing of the notice
15 of appeal, a copy of the notice of appeal, the filing fee, and a copy of the circuit court
16 record of the case maintained under s. 59.40 (2) (b) or (c). The clerk of the court of
17 appeals shall file the appeal upon receipt of the items referred to in this paragraph.

18 (c) The appellant shall request a copy of the transcript of the reporter's notes
19 of the proceedings for each of the parties to the appeal and make arrangements to
20 pay for the transcript and copies within 5 days after the filing of the notice of appeal
21 under par. (b).

22 (d) The appellant shall file a statement on transcript with the clerk of the court
23 of appeals, shall file a copy of the statement on transcript with the clerk of the circuit
24 court, and shall serve a copy of the statement on transcript on the other parties to
25 the appeal within 5 days after the filing of the notice of appeal in the circuit court

1 under par. (b). The statement on transcript shall either designate the portions of the
2 transcript that have been requested by the appellant or contain a statement by the
3 appellant that a transcript is not necessary for prosecution of the appeal. If a
4 transcript is necessary for prosecution of the appeal, the statement on transcript
5 shall also contain a statement by the court reporter that the appellant has requested
6 copies of the transcript or designated portions thereof for each of the other parties;
7 that the appellant has made arrangements to pay for the original transcript and for
8 all copies for the other parties; the date on which the appellant requested the
9 transcript and made arrangements to pay for it; and the date on which the transcript
10 must be served on the parties.

11 (e) The court reporter shall serve copies of the transcript on the parties
12 indicated in the statement on transcript within 5 days after the date the appellant
13 requested copies of the transcript under par. (c).

14 (f) Subsequent proceedings in the appeal are governed by the procedures for
15 civil appeals and the procedures under subch. VI, except as follows:

16 1. The appellant shall file a brief within 15 days after the filing of the record
17 on appeal.

18 2. The respondent shall file a brief within 10 days after the service of the
19 appellant's brief.

20 3. The appellant shall file within 10 days after the service of the respondent's
21 brief a reply brief or statement that a reply brief will not be filed.

22 4. Within 3 days of receipt of the appellant's reply brief or statement that a reply
23 brief will not be filed under subd. 3., the court of appeals shall certify the appeal to
24 the supreme court under s. 809.61.

