

1979 Assembly Bill 672

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CHAPTER 237, Laws of 1979

AN ACT to amend 800.13 (1); and to repeal and recreate 800.14 (4) and (5) of the statutes, relating to municipal court proceedings.

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

SECTION 1. 800.13 (1) of the statutes, as affected by chapter 32, laws of 1979, is amended to read:

800.13 (1) Every proceeding in which testimony is taken under oath in a municipal court shall be recorded by electronic means for purposes of appeal. ~~The recording shall be by a 7 inch recorder using one quarter inch audio tape. The tape recorder shall have the capacity to record at a tape speed of 1 7/8 inches per second.~~

SECTION 2. 800.14 (4) and (5) of the statutes, as affected by chapter 32, laws of 1979, are repealed and recreated to read:

800.14 (4) Upon the request of either party within 20 days after notice of appeal under sub. (1), or on its own motion, the circuit court shall order that a trial de novo without a jury be held in circuit court.

(5) If there is no request or motion under sub. (4), an appeal shall be based upon a review of a transcript of the proceedings. The municipal judge shall direct that the transcript be prepared from the electronic recording under s. 800.13 (1) and shall certify the

transcript. The costs of the transcript shall be paid for under s. 800.10 (7). The electronic recording and the transcript shall be transferred to the circuit court for review.
