

**1981 Senate Bill 118**

Date published: **April 30, 1982**

**CHAPTER 245 , Laws of 1981**

AN ACT to repeal 59.57 (3); to amend 59.57 (1) (a), (4), (12) and (12a), 59.94, 134.17 (4), 179.02 (1) (b), 185.42 (2) and (5) and 786.36; and to repeal and recreate 59.57 (6a) of the statutes, relating to county register of deeds fees.

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

SECTION 1. 59.57 (1) (a), (4), (12) and (12a) of the statutes are amended to read:

59.57 (1) (a) For recording any instrument entitled to be recorded in the office of the register of deeds, ~~\$2 \$4~~ for one page (first page) and ~~\$1 \$2~~ for each additional page. ~~One "page" is one side of a single sheet of paper not larger than 8 1/2 by 14 inches using type not smaller than 6 point type. Each rider attached to a document shall be considered an additional page.~~

(4) For copies of any records or papers, ~~the same fees as set forth in sub. (1) (a) \$2~~ for the first page plus \$1 for each additional page, plus 25 cents for ~~his~~ the certificate of the register of deeds.

(12) ~~All the foregoing fees to~~ under this section shall be payable in advance by the party procuring ~~such the~~ services of the register of deeds, except that the fees for ~~such the~~ services performed for a state department, board or commission shall be invoiced monthly to such department, board or commission.

(12a) ~~Whenever~~ In this section, "page" means one side of a single sheet of paper not larger than 8 1/2 by 14 inches using type not smaller than 6-point type. Each rider attached to a document shall be considered an additional page. If any instrument is presented for recording or filing which is larger than 8 1/2 by 14 inches or if the type is smaller than 6-point, the fee for recording such or filing the instrument shall be twice that the fee per page as set forth in sub. (1) (a) specified under subs. (1) (a) and (6a).

SECTION 2. 59.57 (3) of the statutes is repealed.

SECTION 3. 59.57 (6a) of the statutes is repealed and recreated to read:

59.57 (6a) For filing any instrument which is entitled to be filed in the office of register of deeds and for which no other specific fee is specified, \$4 for the first page and \$2 for each additional page.

SECTION 4. 59.94 of the statutes is amended to read:

**59.94 Registration of farms.** (1) The owner of any farm or country estate, or his agent duly authorized therefor in writing, may register the name of such farm or estate in the office of the register of deeds of the county wherein the farm or estate is situated. The owner or purchaser of said farm or any part thereof, may change or release said name from his respective interest in said farm by filing a certificate stating that the original registered name is released. A new name or names to said farm or any parts thereof may then be registered. Every register of deeds shall keep a registry book for such purpose, and, upon request, shall make registrations therein as provided in this section. Registration shall consist in writing in the registry book the name of the owner of the farm or estate and such name for the farm or estate as the owner or agent may designate, if no other farm or estate in the county has been previously registered under the same name. The register of deeds shall charge and collect \$1 for making each registration and each certificate filed fee for filing an instrument under this subsection shall be the fee specified under s. 59.57 (6a). The registry book herein provided for shall be a public record in the office of the register of deeds.

(2) Any register of deeds who fails or refuses to provide a registry book and make registrations therein, and file certificates, as provided in this section, or who charges or collects more than ~~\$1~~ the fee specified under s. 59.57 (6a) for making any such registration, or filing such certificate, or who knowingly registers a farm or estate under a name previously adopted and registered for some other farm or estate in such county, or any person who uses, by way of advertisement or otherwise, the name of any farm or estate registered as provided in this section, to designate or as the name of any farm or estate in such county other than the farm or estate for which such name was registered, unless such name was adopted for and used as the name of such other farm or estate prior to April 6, 1905, shall be fined not less than \$5 nor more than \$25 or imprisoned not less than 10 days nor more than 30 days, or both.

SECTION 5. 134.17 (4) of the statutes is amended to read:

134.17 (4) For each such filing the register of deeds shall receive a the fee of \$1 specified under s. 59.57 (6a).

SECTION 6. 179.02 (1) (b) of the statutes is amended to read:

179.02 (1) (b) File for record the certificate in the office of the register of deeds of the county in which the principal place of business is located. The register of deeds shall be entitled to a the fee of \$1 specified under s. 59.57 (6a) for each such filing.

SECTION 7. 185.42 (2) and (5) of the statutes are amended to read:

185.42 (2) The register of deeds, upon payment of a the fee of 50 cents for each contract and of 5 cents for each member-maker of a uniform contract specified under s. 59.57 (6a), shall number each contract consecutively and shall file it. The register of deeds shall enter the name of every member-maker of such a contract alphabetically in a book to be kept for that purpose. He shall place members and ~~co-operatives~~ cooperatives under a separate head and shall state in separate columns, opposite each name, the number of the contract, the date of the filing, and a brief description of the products, goods or services covered by such contract.

(5) Whenever the contract has been terminated in any such manner, the association shall give, upon demand, a statement of termination to the member-maker of the contract. Such member may file such statement in the office of the register of deeds where the contract was originally filed. The register of deeds shall stamp "expired" after the name of the member in the alphabetical index. ~~For such filing and stamping, the register of deeds shall receive a 25-cent fee.~~ At least once each year the association shall file in the office of the register of deeds where the contract was originally filed, a sworn list of the names of all member-makers whose contract has been terminated in any manner specified by sub. (4) (b) and (c). The register of deeds shall stamp "expired" after the name of the members in the alphabetical index. For such any filing and stamping under this subsection the register of deeds shall receive a the fee of 5 cents for each member-maker specified under s. 59.57 (6a).

SECTION 8. 786.36 of the statutes is amended to read:

**786.36 Changing names, court procedure.** Any resident of this state, whether a minor or adult, may upon petition to the circuit court of the county where he or she resides and upon filing a copy of the notice, with proof of publication, as required by s. 786.37, if no sufficient cause is shown to the contrary, have his or her name changed or established by order of the court. If the person whose name is to be changed is a minor under the age of 14 years, the petition may be made by: both parents, if living, or the survivor of them; the guardian or person having legal custody of the minor if both parents are dead or if the parental rights have been terminated by judicial proceedings; or the mother, if the minor is born out of wedlock and not subsequently legitimated or adopted, except that the father must also make the petition unless his rights have been legally terminated. The order shall be entered at length upon the records of the court and a duly certified copy of the record shall be filed in the office of the register of deeds of the county, who shall make an entry in a book to be kept by the register. ~~The fee for filing and entering each a certified copy is \$2 the fee specified under s. 59.57 (6a).~~ If the person whose name is changed or established was born or married in this state, the clerk of the court shall send to the state registrar of vital statistics, on a form designed by the state registrar of vital statistics, an abstract of the record, duly certified, accompanied by the fee prescribed in s. 69.24, which fee the clerk of court shall charge to and collect from the petitioner. The state registrar of vital statistics shall then correct the birth record, marriage record or both, and direct the register of deeds and local registrar to make similar corrections on their records. No person engaged in the practice of any profession for which a license is required by the state may change his or her given name or his or her surname to any other given name or any other surname than that under which the person was originally licensed in the profession in this or any other state, in any instance in which the state board or commission for

the particular profession, after a hearing, finds that practicing under the changed name operates to unfairly compete with another practitioner or misleads the public as to identity or otherwise results in detriment to the profession or the public. This prohibition against a change of name by a person engaged in the practice of any profession does not apply to any person legally qualified to teach in the public schools in this state, nor to a change of name resulting from marriage or divorce, nor to members of any profession for which there exists no state board or commission authorized to issue licenses or pass upon the qualifications of applicants or hear complaints respecting conduct of members of the profession. Any change of name other than as authorized by law is void.

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