CHAPTER 253   600

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CHAPTER 253, LAWS OF 1969

AN ACT to renumber and amend 256.025; to amend 20.923 (1) (a) 3, 4,
13 and 14, 59.395 (5), 59.42 (2) (b), 267.04 (1) and 271.21; and to create
252.07, 256.025 (2) and 271.29 (3) of the statutes, relating to the com-
pensation of justices and judges and increasing the suit tax.

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

SECTION 1. 20.923 (1) (a) 3, 4, 13 and 14 of the statutes are amended
to read:

20.923 (1) (a) 3. 20.625 Circuit judge .... ~~20,000~~ *21,000*
    4. 20.625 County judge .... ~~17,500~~ *18,500*
    13. 20.680 Supreme court, chief justice .... ~~25,000~~ *29,000*
    14. 20.680 Supreme court, justice .... ~~24,000~~ *28,000*

SECTION 2. 59.395 (5) of the statutes, as affected by chapter 276, laws
of 1969, is amended to read:

59.395 (5) Pay ~~quarterly~~ *monthly* to the county treasurer for the use
of the state the state tax required to be paid on each civil action, cognovit
judgment and special proceeding filed during the preceding ~~quarter~~ *month*,
after adjustments for transfer of cases between the circuit and county
courts. Such payments shall be made by the fifteenth day of ~~January,
April, July and October~~ *the month following receipt thereof.* The clerk
shall take duplicate receipts from the treasurer and shall forward one re-
ceipt to the secretary of administration within 10 days with a certificate
of the number of actions, cognovit judgments and special proceedings filed
during the preceding ~~quarter~~ *month.*

SECTION 2e. 59.42 (2) (b) of the statutes is amended to read:

59.42 (2) (b) All special proceedings independent of an action taken
at the instance and for the benefit of one party without notice to or contest
by any person adversely interested; and any proceeding under s. 245.10 for
court permission to marry, ~~but notwithstanding s. 271.21 no state suit tax
shall be collected on any such matter~~ $4.

SECTION 2n. 252.07 of the statutes is created to read:

252.07 SALARY REIMBURSEMENT; AND CIRCUIT. For circuits
consisting of a county having a population of 500,000 or more, the increase
in the salary of circuit judges granted by chapter —, laws of 1969 (this
act), shall be paid by the state treasurer to the county treasurer, rather
than to the circuit judges, as state reimbursement to offset the $3,000
increase granted to such judges by the county board on January 1, 1969.

SECTION 2r. 256.025 of the statutes is renumbered 256.025 (1) and
amended to read:

256.025 (1) No judge of a court of record shall receive or be allowed
to draw any salary, unless he first executes an affidavit stating that no
cause or matter which has been submitted in final form to his court re-
mains undecided that has been submitted for decision for ~~one year~~ *90 days,*
exclusive of the time that he has been actually disabled by sickness~~, which~~
or unless extended by him under sub. (2). The affidavit shall be presented
to and filed with every official who certifies in whole or in part, the judge's
salary.

SECTION 3. 256.025 (2) of the statutes is created to read:

256.025 (2) If a judge is unable to complete a decision within the
90-day period specified in sub. (1), he shall so certify in the record and

the period is thereupon extended for one additional period of not to exceed 90 days.

SECTION 3g. 267.04 (1) of the statutes is amended to read:

267.04 (1) Upon payment to the clerk of court of a clerk's fee of $2 and a suit tax of ~~$1~~ *$2.50 in actions under s. 299.01 (4) (b) and a suit tax of $5 in other garnishment actions*, the clerk shall issue a garnishee summons together with sufficient copies to the plaintiff or his attorney; the summons form may be in blank, but must carry the court seal.

SECTION 3r. 271.21 of the statutes, as affected by chapters 324 and 325, laws of 1967, is amended to read:

271.21 *(1)* In each civil action, special proceeding, except probate proceedings, and cognovit judgment in the circuit or county court, excluding all matters brought into the probate branches, a suit tax of ~~$7~~ *$11* shall be paid at the time the action is commenced, except that ~~in~~*:*

(a) In actions by small claim type procedure ~~and~~*, the suit tax is $2.50.*

(b) In forfeiture actions in the county court, the tax is $1.

(2) A municipality need not advance in the ~~$1~~ *suit* tax but shall be exempt from payment of such tax until the defendant pays costs pursuant to s. 299.25.

(3) The *suit* tax paid in circuit court shall be paid into the state treasury after any credits are applied for transfer of cases to the county court, in which case the rule governing remittance from the county court shall apply~~; the~~*. The suit* tax paid in county courts shall be paid one-half into the state treasury and one-half into the county treasury after any credit for transfer of cases to circuit court.

(4) An additional suit tax of $2 shall be collected from defendants in all actions for violations of traffic regulations enacted under s. 349.06, and shall be paid into the state treasury.

~~Section 3m. 271.20 (3) of the statutes is created to read:~~

~~271.20 (3) This section shall not apply to any court action, proceeding, writ of error or appeal where the cost of legal services for the party commencing such matter is paid, reimbursed, funded or subsidized in whole or part by a federal or state governmental unit or agency.~~

SECTION 4. (1) SECTION 2n and the amendment to section 20.923 (1) (a) 4 of the statutes by SECTION 1 shall take effect January 5, 1970.

(2) SECTIONS 2r and 3 shall take effect January 1, 1970.

(4) SECTIONS 2, 2e, 3g and 3r shall take effect on December 1, 1969.

Approved November 24, 1969.