



2005 SENATE BILL 231

June 3, 2005 - Introduced by Senators HARSORF and BROWN, cosponsored by Representatives RHOADES, LOEFFELHOLZ, MUSSER, AINSWORTH, TOWNSEND, ALBERS and BALLWEG. Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

1 **AN ACT to amend** 985.06 (1) of the statutes; **relating to:** exempting certain 2nd
2 and 3rd class cities from the requirement to accept official city newspaper bids.

Analysis by the Legislative Reference Bureau

Current law requires a second or third class city annually to request bids from newspapers to become the official city newspaper and to grant the contract to the lowest bidder. This bill exempts a second or third class city from this bidding requirement if only one newspaper is published in the city.

For further information see the *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:

3 **SECTION 1.** 985.06 (1) of the statutes is amended to read:
4 985.06 (1) In 2nd and 3rd class cities, the clerk shall, on or before the 2nd
5 Tuesday of April, advertise in the official city newspaper, or if there is none, in a
6 newspaper published in the city and eligible under s. 985.03, for separate proposals
7 to publish in English the council proceedings and the city's legal notices, respectively,

SENATE BILL 231**SECTION 1**

1 for the ensuing year, inviting bids from all daily and weekly newspapers published
2 in such city which are eligible under s. 985.03, also stating the security required with
3 each bid, which shall be previously fixed by the council, and requiring delivery of the
4 bids in writing, sealed, at the clerk's office by 12 noon of the first Tuesday of May.
5 At that hour, the clerk shall, in the presence of the mayor or an alderperson, open the
6 bids and enter them in a record kept for that purpose. No bid from other than a
7 newspaper legally invited to bid, or for more than the legal rate for like work, shall
8 be of any effect. The paper making the lowest effective bid for the city's legal notices
9 shall be awarded the contract therefor. If 2 or more effective bids are for the same
10 price, and no lower effective bid is filed, the clerk shall transmit such tie bids to the
11 council at its next meeting and the council shall designate the successful bid. If no
12 effective bid is received, the council may direct the clerk to readvertise as before.
13 Each successful bidder shall execute a contract in accordance with the bid and file
14 such bond for its performance as the council requires. No such paper shall receive
15 more or less than the contract price nor any other compensation for the work. The
16 paper securing the contract for the publishing of the city's legal notices shall be the
17 official city newspaper. This subsection does not apply to a city in which only one
18 newspaper with the qualifications under s. 985.03 is published.

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(END)