

1999 DRAFTING REQUEST

Bill

Received: 02/16/2000

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Robert Wirch (608) 267-8979

By/Representing: Peter A

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Legal notice publications in newspapers

Instructions:

Companion to -4119/1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			hhagen 02/16/2000	_____	lrb_docadmin 02/16/2000	lrb_docadmin 02/22/2000	

FE Sent For: ~~02/22/2000~~

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1999 BILL

1 AN ACT *to amend* 985.03 (1) (a) (intro.); and *to create* 985.03 (1) (am) of the
2 statutes; **relating to:** publication of legal notices in a village, town or 4th class
3 city.

Analysis by the Legislative Reference Bureau

Under current law, a newspaper may not be paid for publishing a legal notice for a 4th class city, village or town unless the newspaper meets all of the following criteria:

1. The newspaper has published regularly and continuously in the city, village or town for at least two of the five years immediately before the date of the legal notice publication.

2. The newspaper had a bona fide paid circulation that constituted 50% or more of its circulation.

3. The newspaper had actual subscribers of not less than 300 copies.

This bill allows a newly publishing newspaper to receive compensation for publishing a legal notice for a fourth class city, village or town if all of the following criteria are met:

1. The only newspaper that was published in the fourth class city, village or town ceased publication, but had met the requirements listed above to receive compensation for publishing a legal notice within three years before it ceased publication.

2. Within six months after the newspaper ceased publication, the new newspaper began publication in the fourth class city, village or town and that newspaper meets all of the following criteria:

BILL

a. The newspaper had not published regularly and continuously in the fourth class city, village or town for two or more years.

b. The newspaper had published regularly and continuously in the fourth class city, village or town for at least 16 weeks before the date of the legal notice publication.

c. The newspaper currently has bona fide paid circulation that constitutes 50% or more of its circulation and has actual subscribers of not less than 300 copies.

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

1 **SECTION 1.** 985.03 (1) (a) (intro.) of the statutes is amended to read:

2 985.03 (1) (a) (intro.) ~~No~~ Except as provided in par. (am), no publisher of any
3 newspaper in this state shall be awarded or be entitled to any compensation or fee
4 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately
5 before the date of the notice publication, the newspaper has been published regularly
6 and continuously in the city, village or town where published, and has had a bona fide
7 paid circulation:

8 **SECTION 2.** 985.03 (1) (am) of the statutes is created to read:

9 985.03 (1) (am) The local governing body of a 4th class city, a village or a town
10 may enact an ordinance allowing a newspaper to receive compensation or a fee for
11 publishing a legal notice for the 4th class city, village or town although the newspaper
12 was not published regularly and continuously in the 4th class city, village or town for
13 at least 2 of the 5 years immediately before the date of the legal notice publication
14 if all of the following conditions apply:

15 1. The only newspaper published in the 4th class city, village or town ceased
16 publication.

17 2. The newspaper under subd. 1. had published regularly and continuously in
18 the 4th class city, village or town for at least 2 of the 5 years immediately before the

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1 date of the newspaper's cessation of publication and, at some point within the 3-year
2 period before the cessation, met the bona fide paid circulation requirements of par.

3 (a) 1. and 2.

4 3. Within 6 months after the newspaper under subd. 1. ceased publication, the
5 newspaper that is the subject of the ordinance began publishing in the 4th class city,
6 village or town.

7 4. The newspaper that is the subject of the ordinance had, at no point in the
8 past, published regularly and continuously in the 4th class city, village or town for
9 2 or more years.

10 5. The newspaper that is the subject of the ordinance has published regularly
11 and continuously in the 4th class city, village or town for at least 16 weeks
12 immediately before the date of the legal notice publication.

13 6. The newspaper that is the subject of the ordinance currently meets the bona
14 fide paid circulation requirements of par. (a) 1. and 2.

15 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 02/16/2000

To: Senator Wirch

Relating to LRB drafting number: LRB-4568

Topic

Legal notice publications in newspapers

Subject(s)

Courts - miscellaneous

1. **JACKET** the draft for introduction Sen. Wirch
in the **Senate** or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT**. See the changes indicated or attached _____
A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____

Not needed

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney
Telephone: (608) 267-7511