

**2001 DRAFTING REQUEST**

**Senate Amendment (SA-SSA1-SB55)**

Received: 06/15/2001

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Senate Democratic Caucus

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Addl. Drafters:

Subject: Courts - miscellaneous

Extra Copies:

Submit via email: NO

Requester's email:

**Pre Topic:**

SDC:.....Keckhaver - CN1039,

**Topic:**

Newspaper publication of legal notices

**Instructions:**

See Attached

**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>
/?	nelsorp1 06/16/2001	csicilia 06/16/2001		_____			
/1			haugeca 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Sent For:

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1?	nelsorp1	1 cjs 6/16 01	CH 6/16	CH 6/16 KF			

FE Sent For:

<END>

CN1039

Adopt LRB 2140/P2, relating to newspaper publication of legal notices.

2001

Date (time) needed SOON

LRB b 0978, 1

AMDT TO BUDGET SUB AMDT

RPN : 1 : is

See form AMENDMENTS — COMPONENTS & ITEMS.

SENATE AMENDMENT  
~~TO SENATE AMENDMENT~~,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2001 SENATE BILL 55

At the locations indicated, amend the substitute amendment [redacted] as follows:

✓ ✓  
#. Page 843, line 5 : after that line insert:  
(insert 843-5)

✓ ✓  
#. Page 1280, line 22 : after that line insert:  
(insert 1280-22)

#. Page . . . . , line . . . . :

(End)

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :

#. Page . . . . , line . . . . :



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*Inserts*



1. **AN ACT to repeal 985.03 (1) (c); to amend 77.51 (8) and 985.03 (1) (a) (intro.);**  
2. **and to create 985.01 (3m) and 985.03 (1) (am) of the statutes; relating to:**  
3. **newspaper publication of legal notices.**

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***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. An analysis will be provided in a later version.

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

4. *A* → *2273m* **SECTION 77.51 (8) of the statutes is amended to read:**

5. 77.51 (8) "Newspaper" means those publications ~~which~~ that are commonly  
6. understood to be newspapers and ~~which~~ that are printed and distributed periodically  
7. at daily, weekly, or other short intervals for the dissemination of current news and  
8. information of a general character and of a general interest to the public. In addition,  
9. any publication ~~which~~ qualifies that is eligible for compensation or a fee as a  
10. newspaper under s. 985.03 (1) is a newspaper. "Newspaper" also includes

*insert 843-5*

1 advertising supplements if they are printed by a newspaper and distributed as a  
 2 component part of one of that newspaper's publications or if they are printed by a  
 3 newspaper or a commercial printer and sold to a newspaper for inclusion in  
 4 publications of that newspaper. A "newspaper" does not include handbills, circulars,  
 5 flyers, or the like, advertising supplements not described in this subsection ~~which~~  
 6 ~~that~~ are distributed with a newspaper, nor any publication ~~which that~~ is issued to  
 7 supply information on certain subjects of interest to particular groups, unless such  
 8 publication otherwise qualifies as a newspaper within this subsection. In this  
 9 subsection, advertising is not considered news of a general character and of a general  
 10 interest. " " " "

11 A → " SECTION <sup>4034 YP</sup> 985.01 (3m) of the statutes is created to read:

12 985.01 (3m) "Newspaper" means a publication appearing at regular intervals  
 13 and at least once a week, containing reports of happenings of recent occurrence of a  
 14 varied character, such as political, social, moral, and religious subjects, designed to  
 15 inform the general reader. The definition includes a daily newspaper published in  
 16 a county having a population of 500,000 or more, devoted principally to business  
 17 news and publishing of records, which has been designated by the courts of record  
 18 of the county for publication of legal notices for a period of 6 months or more.

19 SECTION <sup>4034 YP</sup> 985.03 (1) (a) (intro.) of the statutes is amended to read:

20 985.03 (1) (a) (intro.) ~~No~~ Except as provided in par. (am), no publisher of any  
 21 newspaper in this state shall be awarded or be entitled to any compensation or fee  
 22 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately  
 23 before the date of the notice publication, the newspaper has been published regularly  
 24 and continuously in the city, village, or town where published, and has had a bona  
 25 fide paid circulation:

1280-22  
 insert X

4034 YS ✓

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SECTION ~~A~~. 985.03 (1) (am) of the statutes is created to read:

985.03 (1) (am) A publisher of a newspaper in this state may be awarded compensation or a fee for the publishing of any legal notice for a county or any unit of government in a county if the newspaper meets all of the following criteria:

1. The newspaper is a free publication with a circulation, pick-up rate of 50,000 or more in the newspaper's county or multicounty service area, and the circulation, pick-up rate is independently audited by an auditing firm using generally accepted auditing standards.

2. The newspaper has been published continuously for the 10 years immediately before the date of the notice publication.

3. The newspaper has at least 2,500 copies of the newspaper picked up by readers from distribution points within that county.

4. The newspaper is headquartered or published in a county having a population of 500,000 or more.

8034 YS ✓

SECTION ~~A~~. 985.03 (1) (c) of the statutes is repealed. 7)

(END) of insert

SDC:.....Keckhaver – CN1039, Newspaper publication of legal notices

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS SENATE AMENDMENT**

**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

1           At the locations indicated, amend the substitute amendment as follows:

2           **1.** Page 843, line 5: after that line insert:

3           “**SECTION 2243m.** 77.51 (8) of the statutes is amended to read:

4           77.51 (8) “Newspaper” means those publications ~~which~~ that are commonly  
5 understood to be newspapers and ~~which~~ that are printed and distributed periodically  
6 at daily, weekly, or other short intervals for the dissemination of current news and  
7 information of a general character and of a general interest to the public. In addition,  
8 any publication ~~which~~ qualifies that is eligible for compensation or a fee as a  
9 newspaper under s. 985.03 (1) is a newspaper. “Newspaper” also includes  
10 advertising supplements if they are printed by a newspaper and distributed as a



1 component part of one of that newspaper's publications or if they are printed by a  
2 newspaper or a commercial printer and sold to a newspaper for inclusion in  
3 publications of that newspaper. A "newspaper" does not include handbills, circulars,  
4 flyers, or the like, advertising supplements not described in this subsection ~~which~~  
5 that are distributed with a newspaper, nor any publication ~~which~~ that is issued to  
6 supply information on certain subjects of interest to particular groups, unless such  
7 publication otherwise qualifies as a newspaper within this subsection. In this  
8 subsection, advertising is not considered news of a general character and of a general  
9 interest."

10 **2.** Page 1280, line 22 after that line insert:

11 "SECTION 4034yp. 985.01 (3m) of the statutes is created to read:

12 985.01 (3m) "Newspaper" means a publication appearing at regular intervals  
13 and at least once a week, containing reports of happenings of recent occurrence of a  
14 varied character, such as political, social, moral, and religious subjects, designed to  
15 inform the general reader. The definition includes a daily newspaper published in  
16 a county having a population of 500,000 or more, devoted principally to business  
17 news and publishing of records, which has been designated by the courts of record  
18 of the county for publication of legal notices for a period of 6 months or more.

19 SECTION 4034yr. 985.03 (1) (a) (intro.) of the statutes is amended to read:

20 985.03 (1) (a) (intro.) No Except as provided in par. (am), no publisher of any  
21 newspaper in this state shall be awarded or be entitled to any compensation or fee  
22 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately  
23 before the date of the notice publication, the newspaper has been published regularly

1 and continuously in the city, village, or town where published, and has had a bona  
2 fide paid circulation:

3 **SECTION 4034ys.** 985.03 (1) (am) of the statutes is created to read:

4 985.03 (1) (am) A publisher of a newspaper in this state may be awarded  
5 compensation or a fee for the publishing of any legal notice for a county or any unit  
6 of government in a county if the newspaper meets all of the following criteria:

7 1. The newspaper is a free publication with a circulation, pick-up rate of 50,000  
8 or more in the newspaper's county or multicounty service area, and the circulation,  
9 pick-up rate is independently audited by an auditing firm using generally accepted  
10 auditing standards.

11 2. The newspaper has been published continuously for the 10 years  
12 immediately before the date of the notice publication.

13 3. The newspaper has at least 2,500 copies of the newspaper picked up by  
14 readers from distribution points within that county.

15 4. The newspaper is headquartered or published in a county having a  
16 population of 500,000 or more.

17 **SECTION 4034yt.** 985.03 (1) (c) of the statutes is repealed.”

18 (END)