

# State of Wisconsin



2011 Assembly Bill 548

Date of enactment: April 6, 2012  
Date of publication\*: April 19, 2012

## 2011 WISCONSIN ACT 228

AN ACT *to amend* 35.35 (1) (a), 985.03 (1) (c), 985.08 (1), 985.08 (2) (a) and 985.08 (2) (b); and *to create* 985.01 (7) and 985.02 (3) of the statutes; **relating to:** the typeface used, and rates charged, for publication of legal notices.

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

**SECTION 1.** 35.35 (1) (a) of the statutes is amended to read:

35.35 (1) (a) The legislative reference bureau shall provide to the secretary of state camera-ready electronic copy in type not smaller than ~~5.5~~ 6 point Arial for the printing of any enrolled proposed constitutional amendment and of each enrolled resolution ordered to be printed in the official state newspaper by the president of the senate for resolutions originating in the senate or by the speaker of the assembly for resolutions originating in the assembly. The copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type.

**SECTION 2.** 985.01 (7) of the statutes is created to read:

985.01 (7) "Wisconsin newspapers legal notices Web site" means an Internet Web site maintained by Wisconsin newspapers for the purpose of providing and maintaining an electronic version of printed and published legal notices.

**SECTION 3.** 985.02 (3) of the statutes is created to read:

985.02 (3) The newspaper that publishes a legal notice shall, in addition to newspaper publication, place an electronic copy of the legal notice at no additional

charge on the Wisconsin newspapers legal notice Web site.

**SECTION 4.** 985.03 (1) (c) of the statutes is amended to read:

985.03 (1) (c) A newspaper, under this chapter, is a publication ~~appearing that is published~~ at regular intervals and at least once a week, containing reports of happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader. The definition includes a daily newspaper published in a county having a population of 500,000 or more, devoted principally to business news and publishing of records, which has been designated by the courts of record of the county for publication of legal notices for a period of 6 months or more.

**SECTION 5.** 985.08 (1) of the statutes is amended to read:

985.08 (1) The fee for publishing a legal notice shall be not more than ~~14 cents per standard line for the first insertion and not more than 11 cents per standard line for each subsequent insertion~~ the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50% of the standard line base rate without adjustment for

\* Section 991.11, WISCONSIN STATUTES 2009-10: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line. The ~~minimum fee for any legal notices shall be \$2. The maximum rate specified in this subsection shall be adjusted each 2 years~~ standard line rate shall be reviewed annually, the adjustment, ~~if any~~, to be effective on January 1 of each ~~even-numbered~~ year to reflect the relevant change in costs of the newspaper publishing industry ~~as compared with such costs on October 1 of the 3rd year preceding that January 1 during the previous year~~, as determined by the department of administration in consultation with representatives of the daily and weekly newspaper industry of the state. In making the determination ~~the department shall base the determination~~ standard line rate upon the factors of wage and independent indices of newsprint costs in the proportions determined by the department to be proper. No additional fee may be charged for placing a legal notice on the Wisconsin newspapers legal notice Web site pursuant to s. 985.02 (3).

**SECTION 6.** 985.08 (2) (a) of the statutes is amended to read:

985.08 (2) (a) All legal notices shall be in Arial type face. A standard line shall be 6-point ~~Spartan lightface~~ set Arial on a 6-point slug leading without spacing between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72 postscript points. Nonstandard type faces and line lengths shall be allowed with adjust-

ments in fees according to variations in ~~type set and~~ line length. When ~~a publisher does not have, or the person or agency that places the notice~~ elects not to use ~~a 6-point body type~~ Arial, a larger body type Arial up to 12 point may be used; in which case adjustment shall be made in line rate, proportionately decreasing for sizes of type over 6-point to produce the same net average compensation per column area. Such adjustments shall be evaluated by the department of administration which shall certify the same to any newspaper, public official or other interested party upon request, and such certification shall be presumptive evidence of the correct adjustments. ~~A 5 1/2-point type face set on a 6-point slug shall be acceptable in lieu of a standard line, but the rate for the 5 1/2-point type line shall not exceed the rate for a standard line as set forth in sub. (1).~~

**SECTION 7.** 985.08 (2) (b) of the statutes is amended to read:

985.08 (2) (b) When ~~camera-ready~~ electronic copy for the entire notice or substantial areas thereof is provided, eliminating typesetting, enlargements or reductions, or other changes by the newspaper, the maximum rate is the same as the maximum rate established under sub. (1) for subsequent insertions. ~~To qualify for the subsequent insertion rate for camera-ready copy, the copy may be no larger than 8-point type and shall comply with the column width certified for each newspaper by the department of administration under par. (a).~~