

2015 DRAFTING REQUEST

Senate Amendment (SA-SB137)

Received: 6/8/2015 Received By: phurley
For: Mark Miller (608) 266-9170 Same as LRB:
May Contact: By/Representing:
Subject: Courts - miscellaneous/other Drafter: phurley
Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Sen.Miller@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Municipalities opting to publish electronically

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 6/8/2015	kfollett 6/8/2015	_____	srose 6/8/2015	srose 6/8/2015	

FE Sent For:

<END>

Hurley, Peggy

From: Miller, Mark
Sent: Monday, June 08, 2015 3:03 PM
To: Hurley, Peggy
Cc: Esser, Bridget; Tuschen, Terry; Kelly, Scott
Subject: SB 137 AMENDMENT REQUEST

Ms Hurley,

Please draft an amendment to SB 137 that requires a municipality to adopt within the first three meetings of the appropriate legislative body a resolution indicating which option it will adopt for posting notice. This policy will remain in effect unless a succeeding new legislative body within three meetings adopts a new public notice policy. A change in policy becomes effective not less than 15 days after the policy is adopted.

Contact person in office is Bridget Esser.

Thank you

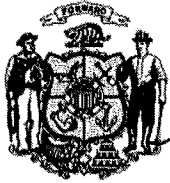
Sen. Mark Miller

16th Senate District

PO Box 7883

Madison, WI 53707

608-266-9170



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2070/1

PJH:cjs:cs

2015 SENATE BILL 137

April 23, 2015 - Introduced by Senators MARKLEIN, OLSEN, BEWLEY, NASS and HARSDORF, cosponsored by Representatives SPIROS, BERNIER, JARCHOW, JACQUE, KULP, BOWEN, STUCK, KITCHENS, HORLACHER, TITTL, DOYLE, KNODL, T. LARSON, WEATHERSTON, KERKMAN, RIPP, KREMER, MURTHA, KAPENGA, MURPHY and QUINN. Referred to Committee on Elections and Local Government.

1 **AN ACT** *to amend* 985.01 (7), 985.02 (2) (a), 985.02 (2) (b), 985.02 (2) (c), 985.02
2 (3) and 985.08 (1) of the statutes; **relating to:** publication of certain legal
3 notices on an Internet site maintained by a municipality.

Analysis by the Legislative Reference Bureau

Under current law, certain legal notices are required by statute or by an order of a court to be published. Legal notices are generally published in a newspaper likely to give notice in the area or to the persons affected. Current law also allows certain municipalities to opt to post certain legal notices in lieu of publishing the notices in a newspaper, if the municipality meets statutory requirements regarding timing and placement of the notices.

Under current law, the municipality must post the notice in at least three public places likely to give notice to persons affected, and must post a notice that would be published before the act or event requiring notice no later than the time specified for the first newspaper publication or, if the notice would be published after the act or event requiring notice, must post the notice within one week after the act or event.

Under this bill, a municipality that opts to post a legal notice in lieu of publication may, instead of posting the notice in three public places, post the notice in one public place and publish the notice on the municipality's Internet site.

SENATE BILL 137

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:

1 **SECTION 1.** 985.01 (7) of the statutes is amended to read:

2 985.01 (7) "Wisconsin newspapers legal notices ~~Web~~ Internet site" means an
3 Internet ~~Web~~ site maintained by Wisconsin newspapers for the purpose of providing
4 and maintaining an electronic version of printed and published legal notices.

5 **SECTION 2.** 985.02 (2) (a) of the statutes is amended to read:

6 985.02 (2) (a) The notice must be posted in at least 3 public places likely to give
7 notice to persons affected or must be posted in at least one public place likely to give
8 notice to persons affected and placed electronically on an Internet site maintained
9 by the municipality.

10 **SECTION 3.** 985.02 (2) (b) of the statutes is amended to read:

11 985.02 (2) (b) The notice posted before the act or event requiring notice shall
12 be posted and, if applicable, placed electronically, no later than the time specified for
13 the first newspaper publication.

14 **SECTION 4.** 985.02 (2) (c) of the statutes is amended to read:

15 985.02 (2) (c) The notice posted after the act or event requiring notice shall be
16 posted and, if applicable, placed electronically, within one week after the act or event.
17 Actions of governing bodies posted after the act or event shall be effective upon
18 posting.

19 **SECTION 5.** 985.02 (3) of the statutes is amended to read:



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SENATE AMENDMENT,
TO SENATE BILL 137

1 At the locations indicated, amend the bill as follows:

2 1. Page 3, line 3: after that line insert:

3 "SECTION 5m. 985.05 (1m) of the statutes is created to read:

4 985.05 (1m) A governing body of a municipality shall, within the first three
5 meetings after the effective date of this subsection ... (LRB inserts date), adopt a
6 resolution indicating its policy for publication or posting under this section or under
7 s. 985.02 (2). The policy shall take effect not less than 15 days after adoption of the
8 resolution and shall remain in effect unless the municipality adopts, within the first
9 three meetings of a succeeding governing body, a resolution indicating a different
10 policy."

11

(END)