

2019 Assembly Bill 112 (LRB -0134)

An Act to amend 985.01 (3r) and 985.12 (1) of the statutes; relating to: eligibility of Washington Island Observer newspaper to receive compensation for publication of legal notices and the content of affidavits of printing filed as evidence of publication.

2019

03-22. A. Introduced by Representatives **Kitchens, Duchow, Kulp, Loudenbeck, Murphy, Mursau, Novak, Rohrkaste, Skowronski, Spreitzer, Steffen, Subeck and Tusler**; cosponsored by Senators **Jacque, Cowles and Olsen**. 72

03-22. A. Read first time and referred to Committee on Judiciary 72

03-27. A. Senator Nass added as a cosponsor 79

04-11. A. Public hearing held

04-22. A. Representative Emerson added as a coauthor 108

05-08. A. Assembly Amendment 1 offered by Representative Kitchens (**LRB a0146**) 121

07-18. A. Executive action taken

09-13. A. Report Assembly Amendment 1 adoption recommended by Committee on Judiciary, Ayes 8, Noes 0 279

09-13. A. Report passage as amended recommended by Committee on Judiciary, Ayes 8, Noes 0 279

09-13. A. Referred to committee on Rules 279

10-08. A. Placed on calendar 10-10-2019 by Committee on Rules

10-10. A. Read a second time 319

10-10. A. **Assembly Amendment 1 adopted** 319

10-10. A. Ordered to a third reading 319

10-10. A. Rules suspended 319

10-10. A. Read a third time and **passed** 319

10-10. A. Ordered immediately messaged 319

10-11. S. Received from Assembly 439

10-25. S. Read first time and referred to committee on Senate Organization 461

09-25. S. Available for scheduling

11-01. S. Public hearing requirement waived by committee on Senate Organization, pursuant to Senate Rule 18 (1m), Ayes 3, Noes 2 472

11-01. S. Placed on calendar 11-5-2019 pursuant to Senate Rule 18(1) 473

11-05. S. Read a second time

11-05. S. Ordered to a third reading

11-05. S. Rules suspended

11-05. S. Read a third time and **concurred in**

11-05. S. Ordered immediately messaged

11-06. A. Received from Senate concurred in 362

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ENROLLED BILL

Adopted Documents

Original

Engrossed

Substitute Amdt

19 0134, 1

Amendments: None or Listed below.

AA 1

Corrections: None or Listed by date below.

11/11

Topic: Same as relating clause or Indicated below.

11/11 / 11/19

Date

Enrolling Drafter



State of Wisconsin
2019-2020 LEGISLATURE

CORRECTIONS IN:

2019 ASSEMBLY BILL 112

Prepared by the Legislative Reference Bureau
(November 11, 2019)

In enrolling, the following correction was made:

1. Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1s".

(END)



2019 ASSEMBLY BILL 112

March 22, 2019 - Introduced by Representatives KITCHENS, DUCHOW, KULP, LOUDENBECK, MURPHY, MURSAU, NOVAK, ROHRKASTE, SKOWRONSKI, SPREITZER, STEFFEN, SUBECK and TUSLER, cosponsored by Senators JACQUE, COWLES and OLSEN. Referred to Committee on Judiciary.

1 **AN ACT** *to amend* 985.01 (3r) and 985.12 (1) of the statutes; **relating to:**
2 eligibility of Washington Island Observer newspaper to receive compensation
3 for publication of legal notices and the content of affidavits of printing filed as
4 evidence of publication.

Analysis by the Legislative Reference Bureau

This bill incorporates the Washington Island Observer newspaper into the definition of newspaper for purposes of eligibility to receive compensation for publishing legal notices. Under current law, a newspaper is defined, with certain exceptions, as a publication that is published at regular intervals and at least once a week, containing, on average, 25 percent news content per issue, including reports of happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader. In addition to meeting other criteria, a publication must be a newspaper as defined in the statutes in order to qualify to receive compensation for publication of legal notices. This bill incorporates the Washington Island Observer, published at least two times a month, into the definition of newspaper.

Also, current law provides that in order for an affidavit of printing to be received as presumptive evidence of publication of a legal notice and of the facts stated in the affidavit, the affidavit must include a copy of the legal notice clipped from the newspaper and must specify the date of each insertion and the paper in which it was published. This bill specifies that the copy of the notice included with the affidavit

ASSEMBLY BILL 112

of printing may be clipped from the newspaper in either hard copy or electronic format.

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

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SECTION 1. 985.01 (3r) of the statutes is amended to read:

985.01 (3r) "Newspaper" means a publication that is published at regular intervals and, except as otherwise provided in this subsection, at least once a week, containing, on average, 25 percent news content per issue, including reports of happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader. "Newspaper" includes a daily newspaper published in a county having a population of 750,000 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. "Newspaper" also includes a newspaper published in the town of Washington, Door County, at least 2 times a month.

SECTION 2. 985.12 (1) of the statutes is amended to read:

985.12 (1) AFFIDAVIT OF PRINTING. The affidavit of the editor, publisher, printer or proprietor of any newspaper, or of his or her foreman or principal clerk, of the publication of any legal notice, annexed to a copy of the notice clipped from the newspaper in either hard copy or electronic format, and specifying the date of each insertion, and the paper in which it was published, shall be received in all cases as presumptive evidence of the publication and of the facts stated therein.

(END)



State of Wisconsin
2019 - 2020 LEGISLATURE

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**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY BILL 112**

May 8, 2019 - Offered by Representative KITCHENS.

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

2 **1.** Page 2, line 1: before that line insert:

3 **"SECTION 1m.** 985.01 (1m) of the statutes is renumbered 985.01 (1m) (a) and
4 amended to read:

5 985.01 (1m) (a) ~~"Insertion,"~~ Except as provided in par. (b), "insertion," when
6 used to indicate the publication of a legal notice more than one time, means once each
7 week for consecutive weeks, the last of which shall be at least one week before the
8 act or event, unless otherwise specified by law.

9 **SECTION 1n.** 985.01 (1m) (b) of the statutes is created to read:

10 985.01 (1m) (b) With respect to a newspaper published in the town of
11 Washington, Door County, at least 2 times a month, "insertion," when used to
12 indicate the publication of a legal notice more than one time, means once in each
13 issue of consecutive issues published at intervals of at least one week, the last issue

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1 of which shall be published at least one week before the act or event, unless otherwise
2 specified by law.”

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(END)