

NOTICE

A meeting of the City of Evansville Common Council will be held at the location, on the date, and at the time stated below. Notice is further given that members of the Plan Commission and Economic Development Committee may be in attendance. Requests for persons with disabilities who need assistance to participate in this meeting should be made by calling City Hall at (608)-882-2266 with as much notice as possible. Agendas, minutes, and packets can be found here: www.ci.evansville.wi.gov/councilmeetings

City of Evansville Common Council
Organizational Meeting
City Hall, 31 S Madison St, Evansville WI 53536
Tuesday, April 18th, 2023, 6:00 p.m.

AGENDA

Administer Oral Oath of Office to District #1 Alderperson Abbey Barnes, District #2 Alderperson Jim Brooks, District #3 Alderperson Gene Lewis, and District #4 Alderperson Ben Corridon.

1. Call to order
2. Roll call of new Council
3. Approval of Agenda
4. Nomination and Election of Council President.
5. Appointment of Official City Newspaper
 - A. Discussion and Review of Fees
 - B. Discuss use of disclaimer “The views in this publication do not represent the views of the city of Evansville, WI”
 - C. Motion to Appoint _____ as the City of Evansville’s Official Newspaper for a term of one year.
6. Motion to approve the Committee Aldermanic Appointments of:
 - A. Ald. Brooks as Chair and Ald. Neeley and Ald. Morrison as committee members to the Finance and Labor Relations Committee.
 - B. Ald. Lewis and Ald. Barnes to the Plan Commission.
 - C. Ald. Brooks as Chair and Ald. Ladick and Ald. Morrison as committee member to the Municipal Services Committee.
 - D. Ald. Brooks and Ald. Stuart to the Evansville Fire District Board, and Ald. Barnes and Ald. Ladick as alternates.
 - E. Ald. Brooks and Ald. Ladick to the Economic Development Committee.
 - F. Ald. Neeley as Chair to the Park and Recreation Board.
 - G. Ald. Stuart as Chair and Ald. Lewis and Ald. Corridon as committee members to the Public Safety Committee.
 - H. Ald. Ladick and Ald. Morrison to the Redevelopment Authority.
 - I. Ald. Lewis to the Historic Preservation Commission.
 - J. Ald. Corridon Chair and Ald. Barnes to the Evansville Youth Center Board.
7. Motion to approve the Committee Citizen Appointments of:
 - A. Bill Hurtley, 41 S Fifth St, for a five-year term to the Police Commission.

Please turn off all cell phones while the meeting is in session. Thank you.

- B. Cheryl Doerfer, 204 W Main St and Dan Stephans, 54 Deanna Dr, for two-year terms to the Historic Preservation Commission.
 - C. Gwen Clendenning, 331 Almeron St, and Wally Shannon, 245 Garfield Ave, for three-year terms to the Eager Free Public Library Board of Trustees.
 - D. John Gishnock, 210 Cemetery Rd, for a three-year term to the Plan Commission.
 - E. Kaitlyn 'Katie' Sacker, 25 N Second St, for a two-year term to the Historic Preservation Commission.
 - F. Lyman Fuson, 334 W Main St, and Sue Merritt, 507 E Main St, for a three-year term to the Park and Recreation Board.
 - G. Bill Lathrop, 468 W Main St, for a five-year term to the Board of Review.
 - H. Roger Roth, 120 Garfield Ave, for a five-year term to the Redevelopment Authority.
 - I. Jon Alling, 31 Sherman Ct, for a three-year term to the Economic Development Committee.
 - J. Ken Updike, 623 E Countryside Dr, for a three-year term to the Youth Center Advisory Board.
 - K. Ken Updike, 623 E Countryside Dr, and Sarah Krause, 23 ½ S 4th St, for three-year terms to the Zoning Board of Appeals, with Janice Turner as Chair.
- 8. Communications and Recommendations of the Mayor
 - 9. Meeting Reminder:
 - A. Regular Meeting: Tuesday, May 9th, 2023 6:00 p.m. at City Hall
 - 10. Adjournment

Dianne Duggan, Mayor

Please turn off all cell phones while the meeting is in session. Thank you.



Leah Hurtley <leah.hurtley@ci.evansville.wi.gov>

Inquires for Selection of Evansville, WI Paper of Record

Leah Hurtley <leah.hurtley@ci.evansville.wi.gov>

Mon, Apr 3, 2023 at 12:45 PM

To: kboreen@beloitdailynews.com, legals@rvpublishing.com, publisher@edgertonreporter.com, gildner@litewire.net, mrichardson@gazettextra.com, classifieds@hometownnews.com

Cc: Jason Sergeant <jason.sergeant@ci.evansville.wi.gov>

Hello,

The City of Evansville is reviewing fees and circulation numbers for Rock County Newspapers that are listed under the DOA's Newspaper Certification Program. The City Council is expected to choose a paper of record in the next couple of weeks. Each of the respective papers have their rates printed here: https://vendornet.wi.gov/Download.aspx?type=contract&Id=755a7c2d-2f77-ed11-8144-0050568c7f0f&filename=3348_8.pdf

Can you please respond by Friday April 7th at 4pm with the following:

- 1.) Verify that the rates published in the link above are accurate, as well as the circulation numbers.
- 2.) Inform of your total circulation, or your estimate, of circulation in the 53536 zip code.
- 3.) Any additional resources your paper provides to make these available to the widest audience (EG, online posting of notices, etc.)

Thank you in advance for your assistance on this matter.

Thank you,

Leah Hurtley

City Clerk

City of Evansville

31 S Madison St, PO Box 529

Evansville, WI 53536



STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary-designee
Jana Steinmetz, Administrator

December 12, 2022

KEEP THIS DOCUMENT FOR YOUR RECORDS

Evansville Review

Kelly Gildner
8409 N US Hwy 14
PO Box 530
Evansville, WI 53536-0077

2023 Certification of Legal Notice Rates for Newspapers

This letter certifies that the newspaper listed above may collect a fee for publishing legal notices required by Wisconsin law. Certification requirements are reviewed and legal are updated annually pursuant Chapter 10 ELECTION DATES AND NOTICES and 985 PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES of the Wisconsin Statutes.

- Part One lists information currently on file about this newspaper
- Part Two addresses general legal/public notices
- Part Three covers election facsimile ballots
- Part Four contains general information about the certification process

Effective Dates

Unless otherwise updated and amended, this certification letter governs notices published on:
January 1, 2023 through December 31, 2023.

The information below will determine the rates/fee for this newspaper and is published on the Internet. Contact the Department of Administration IMMEDIATELY with changes to any of the information listed in this document:

Paid Circulation:	1,185	Telephone:	(608) 882-5220
Circulation Adjust:	0%	Fax:	(608) 882-5221
Day(s) Published:	W	E-Mail:	gildner@litewire.net
County:	Rock	Parent Co.:	

Insertion Rates

Your newspaper is certified for the fonts and column widths in the following list. Use the corresponding adjusted line rates to calculate fees.

Font(s)	Point Size	Alphabet Length	Column Width	Font Base	ADJUSTED RATES	
					First Insert	Subsq Insert
Arial	8	102	11.50	0.7497	0.7497	0.5923
Arial	8	102	23.50	1.5320	1.5320	1.2103
Arial	8	102	36.00	2.3469	2.3469	1.8540
Arial	8	102	47.00	3.0640	3.0640	2.4205
Arial	9	104	11.50	0.7353	0.7353	0.5809
Arial	9	104	23.50	1.5025	1.5025	1.1870
Arial	9	104	36.00	2.3017	2.3017	1.8184
Arial	9	104	47.00	3.0050	3.0050	2.3740
Arial	10	114	11.50	0.6708	0.6708	0.5299
Arial	10	114	23.50	1.3707	1.3707	1.0829
Arial	10	114	36.00	2.0998	2.0998	1.6589

Arial	10	114	47.00	2.7414	2.7414	2.1657
Arial Bold	9	114	11.50	0.6708	0.6708	0.5299
Arial Bold	9	114	23.50	1.3707	1.3707	1.0829
Arial Bold	9	114	36.00	2.0998	2.0998	1.6589
Arial Bold	9	114	47.00	2.7414	2.7414	2.1657
Arial Bold	10	126	11.50	0.6069	0.6069	0.4794
Arial Bold	10	126	23.50	1.2402	1.2402	0.9797
Arial Bold	10	126	36.00	1.8998	1.8998	1.5009
Arial Bold	10	126	47.00	2.4804	2.4804	1.9595

Ballots

Fees for publishing ballots are calculated by area. The fee is charged as if the area occupied by the ballot were set in the standard line described in s. 985.08 (2)(a), Wis. Stats.

“All legal notices shall be in Arial type face. A standard line shall be 6-point Arial on a 6-point leading without spacing between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72 postscript points. Nonstandard line lengths shall be allowed with adjustments in fees according to variations in line length.”

To calculate ballot rates use the current statute standard line rate of **\$0.9143** first insert and **\$0.7223** subsequent insertion, multiplying by 12 lines per inch, then dividing by 11 picas per column and applying the newspaper’s circulation adjustment.

Use the following worksheet to calculate fees for ballots:

- a) Measure the width of the ballot in picas (1 inch = 6 picas = 72 points): (a) _____
- b) Measure the height (single column) of the ballot in inches: (b) _____
- c) Multiply line (a) times line (b) equals: (c) _____
- d) Enter the appropriate adjusted facsimile ballot rate from the table below: (d) \$ _____

Range	Circulation Adjustment	Ballot Rate per line
First Insert: \$0.9143		
8,000 or less	0%	\$0.9143
8,001-12,000	15%	\$1.0639
12,001-16,000	30%	\$1.2135
16,001-20,000	45%	\$1.3631
20,001-24,000	60%	\$1.5128
24,001 and up	75%	\$1.6624
Subsequent Insert: \$0.7223		
8,000 or less	0%	\$0.7223
8,001-12,000	15%	\$0.8405
12,001-16,000	30%	\$0.9587
16,001-20,000	45%	\$1.0769
20,001-24,000	60%	\$1.1951
24,001 and up	75%	\$1.3133

e) Multiply line (c) times line (d) = TOTAL \$ _____

Sample Ballots shall be published per the copy furnished by the county and municipal clerks. Introductory and descriptive text includes material which accompanies the ballot, but which in itself is not part of the actual ballot. Fees for such are not calculated as facsimile ballots. Unless directed otherwise by the election official, this material should be published using the appropriate legal notice font and line rate from this certification.

s. 5.94 “Sample ballots; publication. When an electronic voting system employing a ballot that is distributed to electors is used, the county and municipal clerk of the county and municipality in which the polling place designated for use of the system is located shall cause to be published, in the type B notices, a true actual-size copy of the ballot containing the names of offices and candidates and statements of measures to be voted on, as nearly as possible, in the form in which they will appear on the official ballot on election day. The notice may be published as a newspaper insert. Municipal clerks may post the notice if the remainder of the type B notice is posted.”

SIZE: Election ballots may **not** be enlarged. If appropriate to provide a proper fit for a newspaper's standard column width, ballots may be reduced in size photographically. If reduced, the fee calculations are based on the area covered by the ballot as published, i.e., after it is reduced.

Chapter 10 of the Wisconsin Statutes provides the information necessary to publish election ballots in newspapers.

OPTICAL SCAN BALLOTS: These were developed after the requirements of Chapter 985 Wisconsin Statutes were established. Responsibility for readability lies with the county or municipality placing the notice.

MEASUREMENTS: For purposes of this certification, 1 inch = 6 picas = 72 points.

RATES: Wisconsin Statutes establish the standard line rate for publication of legal notices and the annual adjustment procedure. The rates for each newspaper are calculated by adjusting for the font alphabet length, the newspaper's column width(s) and total paid circulation. (Please refer to s. 985.08(2)(a), Wis. Stats.)

INSERTION: Use first insert rates to calculate fees for the first date a notice or ballot is published. First insert rates include an allowance for preparatory work by the publisher. Use subsequent insert rates for repeat publications of the same notice or ballot, i.e., when no additional preparation is needed.

COPY: When electronic copy for the entire legal 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. (Please refer to s. 985.08 (2)(b), Wis. Stats.)

TEAR SHEETS: Upon request, a tear sheet proof of a multiple insertion notice shall be mailed to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made. (Please refer to s. 985.08 (8), Wis. Stats.)

AFFIDAVITS: The fee for an affidavit of publication shall be \$1.00 (Please refer to s. 985.12(4), Wis. Stats.)
985.12(1) 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.

RENEWALS: Annually updated legal notice rate certification to newspapers who meet the statutory requirements. Newspapers need to contact the State Bureau of Procurement for any changes in address, font size, column width or any of the items listed in this certification. (Please refer to s. 985.08(1), Wis. Stats.)

Newspapers must contact the Department of Administration for any changes in public notice contact personnel, address, font sizes, column width and/or any of the items listed in this certification.

If you have any questions about this certification, please email me at: william2.goff@wisconsin.gov or you can call me at (608) 266-1002.

Sincerely,
Bill Goff
Newspaper Certification Program

Enclosure
Chapter 985

CHAPTER 985

PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES

985.01	Definitions.	985.08	Fees for publishing.
985.02	Method of notification.	985.09	Computation of time, Sundays, legal holidays.
985.03	Qualifications of newspapers.	985.10	Publication on Sunday.
985.04	Official state newspaper.	985.11	Fees and work on Sunday.
985.05	Official municipal newspapers.	985.12	Proof of publication.
985.06	Official city newspaper.	985.13	Change of name or discontinuance of paper.
985.065	Publication and printing; counties with population of 250,000 or more.	985.14	Refusal to publish.
985.07	Classes and frequency of legal notices.	985.15	Forfeiture for refusal to publish.
985.075	Substance of 2nd and 3rd insertions.		

985.01 Definitions. As used in this chapter, unless the context requires otherwise:

(1b) “Bona fide paid circulation” means the paid circulation of a newspaper for which the publisher of the newspaper has actual print, digital, or electronic subscribers for each publication of not less than 1,000 copies for 1st and 2nd class cities or 300 copies for 3rd and 4th class cities, villages, or towns.

(1g) “Governing body” has the meaning given in s. 345.05 (1) (b) and includes a long-term care district board under s. 46.2895.

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

(b) With respect to a newspaper published in the town of Washington, Door County, at least 2 times a month, “insertion,” when used to indicate the publication of a legal notice more than one time, means once in each issue of consecutive issues published at intervals of at least one week, the last issue of which shall be published at least one week before the act or event, unless otherwise specified by law.

(2) “Legal notice” means every notice required by law or by order of a court to be published in a newspaper or other publication, except notices required by private and local laws to be published in newspapers, and includes all of the following:

(a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.

(b) Every notice and certificate of election, facsimile ballot, referendum, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law.

(c) Every summons, order, citation, notice of sale or other notice that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.

(3) “Municipality” has the meaning in s. 345.05 (1) (c) and includes a long-term care district under s. 46.2895.

(3g) “News content” means written information and images, other than advertisements, that are printed in a publication.

(3r) Except as otherwise provided in this subsection or in s. 985.03 (1) (am), “newspaper” means a publication that is published at regular intervals and at least once a week, with a minimum of 50 issues each year containing, on average, at least 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.

(4) “Proceedings,” when published in newspapers, mean the substance of every official action taken by a local governing body at any meeting, regular or special.

(5) A newspaper is “published” at the place from which its mailing permit is issued, except that if the place where the newspaper has its major concentration of circulation has no primary post office, then at the place it shall designate as its place of publication in the affidavit required by s. 985.03 (1) (cm), but no newspaper shall have more than one place of publication during the same period of time.

(6) “Substance” is an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion, except that ordinances and resolutions published as required by law need not be republished in proceedings, but a reference to their subject matter shall be sufficient.

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

History: 1981 c. 372; 1983 a. 189 ss. 327, 328, 329 (31); 1993 a. 486; 1999 a. 9, 85; 2007 a. 20; 2009 a. 276; 2011 a. 228; 2015 a. 79, 196; 2017 a. 282 ss. 1 to 3, 12; 2019 a. 32; 2021 a. 32.

985.02 Method of notification. (1) Except as otherwise provided by law, a legal notice shall be published in a newspaper likely to give notice in the area or to the person affected. Whenever the law requires publication in a newspaper published in a designated municipality or area and no newspaper that satisfies the requirements under s. 985.03 (1) (a) or (am) is published therein, publication shall be made in a newspaper likely to give notice.

(2) If the governing body of a municipality elects to post under s. 985.05 (1) it shall post in the following manner:

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

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

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

(d) The affidavit of the officer or person posting the legal notice containing the time, place and manner of the posting is presumptive evidence of the facts stated therein.

(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 publishing newspaper's Internet site and on the Wisconsin newspapers legal notices Internet site. Every newspaper that publishes legal notices shall have an Internet site and include on its home page a prominent link to the newspaper's legal notices section, the contents of which shall be available for viewing at no cost to the public. The newspaper's Internet legal notice section shall include a link to the Wisconsin newspapers legal notices Internet site, as defined in s. 985.01 (7).

History: 2007 a. 20; 2011 a. 228; 2015 a. 79; 2017 a. 282; 2021 a. 32.

A county with a population of less than 250,000 is not required to designate an official newspaper. A county is not required to seek bids for the publication of legal notices. Even if a county does not competitively bid the publication of its own proceedings as provided in s. 59.14 (3), it may print its own proceedings or post them on its web site. A county may not, in lieu of publication in a printed newspaper or posting on a physical bulletin board, post its legal notices on its official web site. OAG 2–08.

985.03 Qualifications of newspapers. (1) (a) Except as provided in par. (am), no publisher of any newspaper in this state shall be awarded or be entitled to any compensation or fee for the publishing of any legal notice unless the newspaper has had a bona fide paid circulation and one of the following applies:

1m. The newspaper has been published at least once each week for at least 50 consecutive issues prior to the first publication of the notice in the city, village, or town where published, or the newspaper can verify to the department of administration using postal records that the newspaper has been circulated to the minimum number of print, digital, or electronic subscribers required under s. 985.01 (1b) prior to the issuance of its mailing permit from its place of publication, as set forth in s. 985.01 (5).

2m. The newspaper is a successor to a newspaper described in subd. 1m. and the successor newspaper has resumed publication following succession within 30 days.

3. The newspaper has merged or consolidated with one or more newspapers and one of the newspapers subject to the consolidation or merger has been continuously published at regular intervals of at least once each week for at least 50 issues each year for at least one year prior to the first publication of the notice.

(am) If there is not a newspaper in a city, village, or town that satisfies the requirements under par. (a), the publisher of a newspaper that satisfies all of the following may be awarded or be entitled to compensation or a fee for the publishing of a legal notice:

1. The newspaper has been circulated at least once each week for at least 50 issues each year for one year prior to the first publication of the notice in the city, village, or town and publishing in the newspaper is likely to give notice in the area or to the affected person.

2. The newspaper is otherwise qualified under this section.

(b) Suspension of publication resulting from the mobilization of troops being called to active duty with the armed forces, strike, lockout or damage, or destruction due to war, fire or act of God, shall not count as an interval in publication.

(bm) A period of disqualification not to exceed 2 years due only to the place of publication shall not count as an interval in publication.

(cm) A newspaper in order to be eligible under this section shall also file a certificate with the county clerk stating that it qualifies under this section and stating its place of publication.

(2) Any person charged with the duty of causing legal notices to be published, and who causes any legal notice to be published in any newspaper not eligible to so publish under the requirements of sub. (1), or who fails to cause such legal notice to be published in any newspaper eligible under this section, may be fined not to exceed \$100 for each offense. Each day in which a legal notice should have been but was not published as required by law shall constitute a separate offense hereunder.

History: 1975 c. 341; 1989 a. 31; 2011 a. 228; 2017 a. 207 s. 5; 2017 a. 282; 2021 a. 32.

This section does not violate equal protection. The term "paid circulation," as a requirement under sub. (1) (a), is discussed. *Community Newspapers v. West Allis*, 156 Wis. 2d 350, 456 N.W.2d 646 (Ct. App. 1990).

A municipality may not expend funds to publish legal notice in a "shopper" that does not meet the qualifications in s. 985.03 (1) (a). 71 Atty. Gen. 177.

985.04 Official state newspaper. The joint committee on legislative organization shall recommend to the legislature to designate some newspaper published in Wisconsin to be the official state newspaper, which shall publish all legal notices required to be published therein. Any such publication from any of the state agencies shall be deemed official. The joint committee may invite bids from all newspapers which meet the requirements of s. 985.03, but if it does so, it is not required to recommend the lowest bidder as the official state newspaper. The joint committee shall introduce its recommendation in the legislature in the form of a joint resolution. No designation takes effect until the joint resolution is adopted. A newspaper which is designated the official state newspaper shall continue as such until the legislature designates another newspaper to be the official state newspaper.

History: 1977 c. 29; 1979 c. 34; 1981 c. 372 ss. 12, 13.

Article VII, sec. 21 [Art. IV, s. 17] requires full text publication of all general laws, and publication of an abstract or synopsis of such laws would not be sufficient. Methods other than newspaper publication, under s. 985.04, may be utilized to give public notice of our general laws. 63 Atty. Gen. 346. See also s. 14.38 (10).

985.05 Official municipal newspapers. (1) The governing body of every municipality not required to have an official newspaper may designate a newspaper published or having general circulation in the municipality and eligible under s. 985.03 as its official newspaper or utilize the same for specific notices. The governing body of such municipality may, in lieu of newspaper publication, direct other form of publication or posting under s. 985.02 (2). Other publication or posting, however, shall not be substituted for newspaper publication in proceedings relating to: tax redemptions or sales of land acquired by the county or city authorized to act under s. 74.87 for delinquent taxes, charges or assessments; civil annexations, detachments, consolidations or incorporations under chs. 59 to 66; or legal notices directed to specific individuals. Posting may not be substituted for publication in school board elections conducted under s. 120.06 or publication under s. 60.80 (2) of town ordinances imposing forfeitures. If an eligible newspaper is published in the municipality, other publication or posting shall not be substituted for newspaper publication under s. 61.32 or 61.50.

(2) When any municipality has designated an official newspaper, all legal notices published in a newspaper by such municipality shall be published in such newspaper unless otherwise specifically required by law.

(3) In lieu of the requirements of this chapter, a school board may publish or publicize under s. 120.11 (4).

History: 1975 c. 138; 1983 a. 532; 1985 a. 225; 1987 a. 378.

A county board may not designate more than one newspaper having a general circulation in the county as its official newspaper. However, the county board may direct that a particular legal notice also appear in one or more other county newspapers. 60 Atty. Gen. 95.

A county with a population of less than 250,000 is not required to designate an official newspaper. A county is not required to seek bids for the publication of legal notices. Even if a county does not competitively bid the publication of its own proceedings as provided in s. 59.14 (3), it may print its own proceedings or post them on its web site. A county may not, in lieu of publication in a printed newspaper or posting on a physical bulletin board, post its legal notices on its official web site. OAG 2–08.

985.06 Official city newspaper. (1) In 2nd and 3rd class cities, the clerk shall, on or before the 2nd Tuesday of April, advertise in the official city newspaper, or if there is none, in a newspaper published in the city and eligible under s. 985.03, for separate proposals to publish in English the council proceedings and the city's legal notices, respectively, for the ensuing year, inviting bids from all daily and weekly newspapers published in such city which are eligible under s. 985.03, also stating the security required with each bid, which shall be previously fixed by the council, and requiring delivery of the bids in writing, sealed, at the clerk's office by 12 noon of the first Tuesday of May. At that hour, the clerk shall, in the presence of the mayor or an alderperson, open the bids and enter them in a record kept for that purpose. No bid from other than a newspaper legally invited to bid, or for more

than the legal rate for like work, shall be of any effect. The paper making the lowest effective bid for the city's legal notices shall be awarded the contract therefor. If 2 or more effective bids are for the same price, and no lower effective bid is filed, the clerk shall transmit such tie bids to the council at its next meeting and the council shall designate the successful bid. If no effective bid is received, the council may direct the clerk to readvertise as before. Each successful bidder shall execute a contract in accordance with the bid and file such bond for its performance as the council requires. No such paper shall receive more or less than the contract price nor any other compensation for the work. The paper securing the contract for the publishing of the city's legal notices shall be the official city newspaper.

(2) In cities of the fourth class, the council, at its first meeting or as soon as may be, shall designate one or more newspapers eligible under s. 985.03 and published in the city, if any, otherwise published in the county and having a general circulation in the city, for publication of the council proceedings and as the official city newspaper for the publication of the city's legal notices for the ensuing year. The council shall fix the price at not to exceed the legal rate for like work.

(3) The publisher, before the claim for the publication is audited, shall file with the clerk proof of publication by affidavit of the printer or foreman, attached to a copy of the matter published, stating the date or dates of publication. Such affidavit shall be conclusive evidence of publication for the purpose of audit.

(4) If for any reason any city is at any time without an official city newspaper, matters required to be published shall be published in a newspaper eligible under s. 985.03, designated by the council, at not more than the legal rate for like work.

History: 1993 a. 184, 491.

985.065 Publication and printing; counties with population of 250,000 or more. (2) (a) In counties having a population of 250,000 or more, the county board of supervisors, at its annual meeting shall direct the county clerk to invite proposals from the English newspapers published daily in said county, for the publication and printing of the proceedings of said board, and all other notices or advertisements as shall be authorized or required to be published or printed by the said board and all officers, boards and departments of said county, during the next ensuing year, which publications and advertising may be divided and classified if the said board shall so order.

(b) Such proposals shall name a price per standard line, or shall name a price per standard line per thousand of average daily circulation in such county for the period of 6 months next preceding the date of such proposals, as shown by the affidavit of an authorized officer or agent of such proponent, or shall name a price for such advertising space as may be required or ordered by the board at any time during the year for which awards are made, or, at the option of the proponent, shall include any or all of such separate proposals as aforesaid.

(c) The said board may by resolution suspend the publication of proceedings in newspapers and provide for the printing thereof in pamphlet form until the further action of the board in relation thereto. Separate bids may be called for if so ordered by said board, from printers in the county, for the printing of the proceedings of said county board in pamphlet form in such quantities as shall be determined by said board.

(d) Each bid shall be accompanied by a certificate of the county treasurer that the bidder has deposited with the county treasurer a United States bond, corporate surety bond or certified check in the sum of \$500, or the cash deposit of a like amount, conditioned that said bidder will, if successful, enter into a contract as provided in the resolution of said board or invitation for such bids. The county clerk shall on the date named in said invitation for bids, in the presence of the committee on printing and stationery of said board, open all such proposals and enter upon his or her minutes a record thereof, all of which shall be reported to the board at its next meeting, together with the recommendations of said committee. The

said board shall thereupon consider such proposals and by its resolution designate and award such advertising and printing to the lowest bidder or to the lower bidder based upon a rate per thousand of average daily circulation in such county, or said board may award such publication and printing to the lowest bidder and also to the lowest bidder per thousand of average daily circulation as aforesaid, or said board may award any division or classification of such publication and printing made under the provisions hereof, to the lowest bidder and award the remaining division or divisions, or classification, to the lowest bidder per thousand of circulation aforesaid. If the board elects to print its proceedings in pamphlet form only, the invitation for bids and the award may be made to the lowest responsible bidder, at a rate per standard line, or per page, or such other basis as the board determines.

(e) Upon the award of the contract, or contracts, the deposits of unsuccessful bidders, and upon execution of proper contracts by successful bidders, the deposits shall severally be returned. The contract, or contracts, shall be accompanied by a good and sufficient bond in such amount as shall be fixed by said board conditional for the faithful performance of such contract.

(f) The said board of supervisors may, in lieu of the foregoing provisions, provide by ordinance, a method of printing and publication of its proceedings and notices, and the method of obtaining bids and contracts therefor.

(g) In any case where it shall be deemed advisable, the county board may provide for further or additional publication of notices in appropriate trade mediums.

(h) The rates provided by s. 985.08 for legal notices shall not apply to printing or publications hereunder.

History: 1983 a. 192; 1993 a. 486.

985.07 Classes and frequency of legal notices. There shall be 3 classes of legal notices under this chapter. The designated number of insertions is the minimum required by law, and the frequency may be increased at the discretion of the requisitioning agency.

(1) **CLASS 1 NOTICES.** All notices designated as class 1 notices require one insertion.

(2) **CLASS 2 NOTICES.** All notices designated as class 2 notices require 2 insertions.

(3) **CLASS 3 NOTICES.** (a) All notices designated as class 3 notices require 3 insertions.

(b) Any legal notice not otherwise designated shall be a class 3 notice unless the time permitted by law necessitates a class 2 or class 1 notice, except that any notice required by law on January 2, 1966, which is not otherwise designated, shall be a class 1 notice.

(4) The classification provided herein does not apply to notices of public election or referendum or to notices governed by s. 815.31 but such notices shall be governed by the specific statutes relating thereto.

History: Sup. Ct. Order, 67 Wis. 2d 585, 784 (1975).

985.075 Substance of 2nd and 3rd insertions. (1) In this section, "summary" means a brief, precise, and plain-language description that can be easily understood.

(2) Except as provided in sub. (3), when a governing body of a municipality is required by law to publish a legal notice as a class 2 notice or a class 3 notice, the governing body may, for the 2nd and 3rd insertions and in lieu of publishing the full text of the material required to be included in the first insertion of the legal notice, publish a summary of the material included in the first insertion in the same manner in which the first insertion was published. The governing body shall ensure that the summary is accompanied by a notice that the full text of the material included in the first insertion is available for viewing at all of the following locations:

(a) As an electronic document on the governing body's Internet site.

in a particular newspaper and the name of such newspaper is changed before such publication is commenced or before it is completed, the publication shall be made or continued in the newspaper under its new name with the same effect as if the name had not been changed. The proof of the publication, in addition to other requirements, shall state the change of name and specify the period of publication in such newspaper under each name.

(2) When a newspaper ceases to be published before the publication of a legal notice is commenced, or when commenced ceases before such publication is completed, the order for publication, when one is required in the first instance, may be amended by order of the court or judge, on proof of the fact by affidavit, so as to designate another newspaper, as may be necessary; and if no order is required in the first instance such publication may be made or completed in any other newspaper; and any time during which such notice is published in the first newspaper shall be reckoned a part of the time required for the publication thereof, proof of which may be made by affidavit of any person acquainted with the facts. The second newspaper may be one published in an adjoining county in the cases mentioned in s. 985.14.

985.14 Refusal to publish. When there is only one newspaper in a county and the publisher thereof refuses to publish a legal

notice, such legal notice may be published in a newspaper printed in an adjoining county; and proof by affidavit of the reason why such publication was made in an adjoining county shall accompany the proof of publication, or the order for publication, when any is necessary, may be made or amended by the court or judge so as to designate a newspaper in an adjoining county, upon affidavit showing the necessity therefor. Whenever a legal notice is required by law to be published in a newspaper in any county having a village or city situated partly in said county and partly in an adjoining county where there is no newspaper printed in such village or city within the county first mentioned, but there is a newspaper published in such village or city within such adjoining county, such notice may be published in such last mentioned newspaper.

985.15 Forfeiture for refusal to publish. If the publisher or printer of a newspaper shall, after payment or tender of the publisher's or printer's legal fees therefor, refuse or willfully neglect to publish any legal notice required in pursuance of law or a lawful order of publication to be published in the publisher's or printer's newspaper, being able to make such publication, the publisher or printer shall forfeit \$25, one-half to the party prosecuting therefor.

History: 1993 a. 486.

4/7/2023

Evansville City Council,

Rates presented to DOA are what they are as published-they come up for recertification each year-they do or do not change at that time-it is a process we pay to have done.

OUR MONTHLY FEE will remain at \$900 to The City Of Evansville/
(has been for many/many years)

What The City Gets for It's \$900/month:

Years ago we came down by \$50/month to match the "Citizen" paper who quit after 3-4 months into their contract -after being given the City Contract that The Evansville Review had from -I believe 1961- City Adm/Jennifer Petruzello favored the owner/along w/assorted Council Members/we lost to them but when they quit Jennifer asked if we could reduce our contract fee of \$950 by \$50/month so the City could continue w/same payment- I was nice & I said yes. Well it has been at that LOWER level since :

AGAIN- WHAT THE CITY GETS FOR \$900/month

- * Mayoral Columns/when submitted,
 - * City Administrator columns /when submitted,
 - * ALL Council items passed (each month) - including but not limited to:
 - minutes, Resolutions, Ordinances, Liq. Licenses, misc. Staff reports,
 - * Ordinances/Zoning items all published at least twice prior to meetings-sometimes these take up multiple pages- each page is **normally** \$640.00/many times we've had 3 or more pages for any given week's issue, EXAMPLE; 3/22 issue approx four pages **normally** totaling \$2,560.00 for that week alone,
 - * City Project Bids and preparing and delivering proof of publications with hard copy & electronic files-when requested,
 - * Ballots/Type E, B, D Notices, & polling places/not just City Hall but The Manor/Kelly House/The Heights- for the City for each election- multiple pages-again sometimes 4 or more, Voting machine test notices,
 - * Water/Light notices-only larger ones are billed on their own-and we do discount to them when we can, W/L Confidence reports
 - Library notices/help wanted/programs
 - Police Department Notices
- there are other items as well.

In addition to the Evansville Review-

- * The Trading Post is also where all CITY notices/legal items/submissions are placed and that publication is INCLUDED as a part of the Newspaper EACH WEEK /so even if not a subscriber the address gets this piece via MAIL/FREE, the TRADING POST

covers all Evansville City & Rural Routes-ALL. If there is a 53536 address-it is mailed there.

-Each week over 4200 -or more- pieces are mailed to 53536 zip code. We use the USP Service each week to deliver.

Kelly Gildner
The Evansville Review



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary-designee
Jana Steinmetz, Administrator

December 12, 2022

KEEP THIS DOCUMENT FOR YOUR RECORDS

Gazette The

Michele Richardson
One S Parker Dr
Janesville, WI 53545

2023 Certification of Legal Notice Rates for Newspapers

This letter certifies that the newspaper listed above may collect a fee for publishing legal notices required by Wisconsin law. Certification requirements are reviewed and legal are updated annually pursuant Chapter 10 ELECTION DATES AND NOTICES and 985 PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES of the Wisconsin Statutes.

- Part One lists information currently on file about this newspaper
Part Two addresses general legal/public notices
Part Three covers election facsimile ballots
Part Four contains general information about the certification process

Effective Dates

Unless otherwise updated and amended, this certification letter governs notices published on:
January 1, 2023 through December 31, 2023.

The information below will determine the rates/fee for this newspaper and is published on the Internet. Contact the Department of Administration IMMEDIATELY with changes to any of the information listed in this document:

Paid Circulation: 10,251 Telephone: (608) 741-6650
Circulation Adjust: 15% Fax:
Day(s) Published: M Tu W Th F E-Mail: mrichardson@gazettextra.com
County: Rock Parent Co.:

Insertion Rates

Your newspaper is certified for the fonts and column widths in the following list. Use the corresponding adjusted line rates to calculate fees.

Table with 7 columns: Font(s), Point Size, Alphabet Length, Column Width, Font Base, ADJUSTED RATES (First Insert, Subsq Insert). Rows list various Arial Bold font sizes and column widths with corresponding adjusted rates.

Ballots

Fees for publishing ballots are calculated by area. The fee is charged as if the area occupied by the ballot were set in the standard line described in s. 985.08 (2)(a), Wis. Stats.

“All legal notices shall be in Arial type face. A standard line shall be 6-point Arial on a 6-point leading without spacing between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72 postscript points. Nonstandard line lengths shall be allowed with adjustments in fees according to variations in line length.”

To calculate ballot rates use the current statute standard line rate of **\$0.9143** first insert and **\$0.7223** subsequent insertion, multiplying by 12 lines per inch, then dividing by 11 picas per column and applying the newspaper’s circulation adjustment.

Use the following worksheet to calculate fees for ballots:

- a) Measure the width of the ballot in picas (1 inch = 6 picas = 72 points): (a) _____
- b) Measure the height (single column) of the ballot in inches: (b) _____
- c) Multiply line (a) times line (b) equals: (c) _____
- d) Enter the appropriate adjusted facsimile ballot rate from the table below: (d) \$ _____

Range	Circulation Adjustment	Ballot Rate per line
First Insert: \$0.9143		
8,000 or less	0%	\$0.9143
8,001-12,000	15%	\$1.0639
12,001-16,000	30%	\$1.2135
16,001-20,000	45%	\$1.3631
20,001-24,000	60%	\$1.5128
24,001 and up	75%	\$1.6624
Subsequent Insert: \$0.7223		
8,000 or less	0%	\$0.7223
8,001-12,000	15%	\$0.8405
12,001-16,000	30%	\$0.9587
16,001-20,000	45%	\$1.0769
20,001-24,000	60%	\$1.1951
24,001 and up	75%	\$1.3133

e) Multiply line (c) times line (d) = TOTAL \$ _____

Sample Ballots shall be published per the copy furnished by the county and municipal clerks. Introductory and descriptive text includes material which accompanies the ballot, but which in itself is not part of the actual ballot. Fees for such are not calculated as facsimile ballots. Unless directed otherwise by the election official, this material should be published using the appropriate legal notice font and line rate from this certification.

s. 5.94 “Sample ballots; publication. When an electronic voting system employing a ballot that is distributed to electors is used, the county and municipal clerk of the county and municipality in which the polling place designated for use of the system is located shall cause to be published, in the type B notices, a true actual-size copy of the ballot containing the names of offices and candidates and statements of measures to be voted on, as nearly as possible, in the form in which they will appear on the official ballot on election day. The notice may be published as a newspaper insert. Municipal clerks may post the notice if the remainder of the type B notice is posted.”

SIZE: Election ballots may **not** be enlarged. If appropriate to provide a proper fit for a newspaper's standard column width, ballots may be reduced in size photographically. If reduced, the fee calculations are based on the area covered by the ballot as published, i.e., after it is reduced.

Chapter 10 of the Wisconsin Statutes provides the information necessary to publish election ballots in newspapers.

OPTICAL SCAN BALLOTS: These were developed after the requirements of Chapter 985 Wisconsin Statutes were established. Responsibility for readability lies with the county or municipality placing the notice.

MEASUREMENTS: For purposes of this certification, 1 inch = 6 picas = 72 points.

RATES: Wisconsin Statutes establish the standard line rate for publication of legal notices and the annual adjustment procedure. The rates for each newspaper are calculated by adjusting for the font alphabet length, the newspaper's column width(s) and total paid circulation. (Please refer to s. 985.08(2)(a), Wis. Stats.)

INSERTION: Use first insert rates to calculate fees for the first date a notice or ballot is published. First insert rates include an allowance for preparatory work by the publisher. Use subsequent insert rates for repeat publications of the same notice or ballot, i.e., when no additional preparation is needed.

COPY: When electronic copy for the entire legal 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. (Please refer to s. 985.08 (2)(b), Wis. Stats.)

TEAR SHEETS: Upon request, a tear sheet proof of a multiple insertion notice shall be mailed to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made. (Please refer to s. 985.08 (8), Wis. Stats.)

AFFIDAVITS: The fee for an affidavit of publication shall be \$1.00 (Please refer to s. 985.12(4), Wis. Stats.)
985.12(1) 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.

RENEWALS: Annually updated legal notice rate certification to newspapers who meet the statutory requirements. Newspapers need to contact the State Bureau of Procurement for any changes in address, font size, column width or any of the items listed in this certification. (Please refer to s. 985.08(1), Wis. Stats.)

Newspapers must contact the Department of Administration for any changes in public notice contact personnel, address, font sizes, column width and/or any of the items listed in this certification.

If you have any questions about this certification, please email me at: william2.goff@wisconsin.gov or you can call me at (608) 266-1002.

Sincerely,
Bill Goff
Newspaper Certification Program

Enclosure
Chapter 985

CHAPTER 985

PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES

985.01	Definitions.	985.08	Fees for publishing.
985.02	Method of notification.	985.09	Computation of time, Sundays, legal holidays.
985.03	Qualifications of newspapers.	985.10	Publication on Sunday.
985.04	Official state newspaper.	985.11	Fees and work on Sunday.
985.05	Official municipal newspapers.	985.12	Proof of publication.
985.06	Official city newspaper.	985.13	Change of name or discontinuance of paper.
985.065	Publication and printing; counties with population of 250,000 or more.	985.14	Refusal to publish.
985.07	Classes and frequency of legal notices.	985.15	Forfeiture for refusal to publish.
985.075	Substance of 2nd and 3rd insertions.		

985.01 Definitions. As used in this chapter, unless the context requires otherwise:

(1b) “Bona fide paid circulation” means the paid circulation of a newspaper for which the publisher of the newspaper has actual print, digital, or electronic subscribers for each publication of not less than 1,000 copies for 1st and 2nd class cities or 300 copies for 3rd and 4th class cities, villages, or towns.

(1g) “Governing body” has the meaning given in s. 345.05 (1) (b) and includes a long-term care district board under s. 46.2895.

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

(b) With respect to a newspaper published in the town of Washington, Door County, at least 2 times a month, “insertion,” when used to indicate the publication of a legal notice more than one time, means once in each issue of consecutive issues published at intervals of at least one week, the last issue of which shall be published at least one week before the act or event, unless otherwise specified by law.

(2) “Legal notice” means every notice required by law or by order of a court to be published in a newspaper or other publication, except notices required by private and local laws to be published in newspapers, and includes all of the following:

(a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.

(b) Every notice and certificate of election, facsimile ballot, referendum, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law.

(c) Every summons, order, citation, notice of sale or other notice that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.

(3) “Municipality” has the meaning in s. 345.05 (1) (c) and includes a long-term care district under s. 46.2895.

(3g) “News content” means written information and images, other than advertisements, that are printed in a publication.

(3r) Except as otherwise provided in this subsection or in s. 985.03 (1) (am), “newspaper” means a publication that is published at regular intervals and at least once a week, with a minimum of 50 issues each year containing, on average, at least 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.

(4) “Proceedings,” when published in newspapers, mean the substance of every official action taken by a local governing body at any meeting, regular or special.

(5) A newspaper is “published” at the place from which its mailing permit is issued, except that if the place where the newspaper has its major concentration of circulation has no primary post office, then at the place it shall designate as its place of publication in the affidavit required by s. 985.03 (1) (cm), but no newspaper shall have more than one place of publication during the same period of time.

(6) “Substance” is an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion, except that ordinances and resolutions published as required by law need not be republished in proceedings, but a reference to their subject matter shall be sufficient.

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

History: 1981 c. 372; 1983 a. 189 ss. 327, 328, 329 (31); 1993 a. 486; 1999 a. 9, 85; 2007 a. 20; 2009 a. 276; 2011 a. 228; 2015 a. 79, 196; 2017 a. 282 ss. 1 to 3, 12; 2019 a. 32; 2021 a. 32.

985.02 Method of notification. (1) Except as otherwise provided by law, a legal notice shall be published in a newspaper likely to give notice in the area or to the person affected. Whenever the law requires publication in a newspaper published in a designated municipality or area and no newspaper that satisfies the requirements under s. 985.03 (1) (a) or (am) is published therein, publication shall be made in a newspaper likely to give notice.

(2) If the governing body of a municipality elects to post under s. 985.05 (1) it shall post in the following manner:

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

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

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

(d) The affidavit of the officer or person posting the legal notice containing the time, place and manner of the posting is presumptive evidence of the facts stated therein.

(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 publishing newspaper's Internet site and on the Wisconsin newspapers legal notices Internet site. Every newspaper that publishes legal notices shall have an Internet site and include on its home page a prominent link to the newspaper's legal notices section, the contents of which shall be available for viewing at no cost to the public. The newspaper's Internet legal notice section shall include a link to the Wisconsin newspapers legal notices Internet site, as defined in s. 985.01 (7).

History: 2007 a. 20; 2011 a. 228; 2015 a. 79; 2017 a. 282; 2021 a. 32.

A county with a population of less than 250,000 is not required to designate an official newspaper. A county is not required to seek bids for the publication of legal notices. Even if a county does not competitively bid the publication of its own proceedings as provided in s. 59.14 (3), it may print its own proceedings or post them on its web site. A county may not, in lieu of publication in a printed newspaper or posting on a physical bulletin board, post its legal notices on its official web site. OAG 2–08.

985.03 Qualifications of newspapers. (1) (a) Except as provided in par. (am), no publisher of any newspaper in this state shall be awarded or be entitled to any compensation or fee for the publishing of any legal notice unless the newspaper has had a bona fide paid circulation and one of the following applies:

1m. The newspaper has been published at least once each week for at least 50 consecutive issues prior to the first publication of the notice in the city, village, or town where published, or the newspaper can verify to the department of administration using postal records that the newspaper has been circulated to the minimum number of print, digital, or electronic subscribers required under s. 985.01 (1b) prior to the issuance of its mailing permit from its place of publication, as set forth in s. 985.01 (5).

2m. The newspaper is a successor to a newspaper described in subd. 1m. and the successor newspaper has resumed publication following succession within 30 days.

3. The newspaper has merged or consolidated with one or more newspapers and one of the newspapers subject to the consolidation or merger has been continuously published at regular intervals of at least once each week for at least 50 issues each year for at least one year prior to the first publication of the notice.

(am) If there is not a newspaper in a city, village, or town that satisfies the requirements under par. (a), the publisher of a newspaper that satisfies all of the following may be awarded or be entitled to compensation or a fee for the publishing of a legal notice:

1. The newspaper has been circulated at least once each week for at least 50 issues each year for one year prior to the first publication of the notice in the city, village, or town and publishing in the newspaper is likely to give notice in the area or to the affected person.

2. The newspaper is otherwise qualified under this section.

(b) Suspension of publication resulting from the mobilization of troops being called to active duty with the armed forces, strike, lockout or damage, or destruction due to war, fire or act of God, shall not count as an interval in publication.

(bm) A period of disqualification not to exceed 2 years due only to the place of publication shall not count as an interval in publication.

(cm) A newspaper in order to be eligible under this section shall also file a certificate with the county clerk stating that it qualifies under this section and stating its place of publication.

(2) Any person charged with the duty of causing legal notices to be published, and who causes any legal notice to be published in any newspaper not eligible to so publish under the requirements of sub. (1), or who fails to cause such legal notice to be published in any newspaper eligible under this section, may be fined not to exceed \$100 for each offense. Each day in which a legal notice should have been but was not published as required by law shall constitute a separate offense hereunder.

History: 1975 c. 341; 1989 a. 31; 2011 a. 228; 2017 a. 207 s. 5; 2017 a. 282; 2021 a. 32.

This section does not violate equal protection. The term "paid circulation," as a requirement under sub. (1) (a), is discussed. *Community Newspapers v. West Allis*, 156 Wis. 2d 350, 456 N.W.2d 646 (Ct. App. 1990).

A municipality may not expend funds to publish legal notice in a "shopper" that does not meet the qualifications in s. 985.03 (1) (a). 71 Atty. Gen. 177.

985.04 Official state newspaper. The joint committee on legislative organization shall recommend to the legislature to designate some newspaper published in Wisconsin to be the official state newspaper, which shall publish all legal notices required to be published therein. Any such publication from any of the state agencies shall be deemed official. The joint committee may invite bids from all newspapers which meet the requirements of s. 985.03, but if it does so, it is not required to recommend the lowest bidder as the official state newspaper. The joint committee shall introduce its recommendation in the legislature in the form of a joint resolution. No designation takes effect until the joint resolution is adopted. A newspaper which is designated the official state newspaper shall continue as such until the legislature designates another newspaper to be the official state newspaper.

History: 1977 c. 29; 1979 c. 34; 1981 c. 372 ss. 12, 13.

Article VII, sec. 21 [Art. IV, s. 17] requires full text publication of all general laws, and publication of an abstract or synopsis of such laws would not be sufficient. Methods other than newspaper publication, under s. 985.04, may be utilized to give public notice of our general laws. 63 Atty. Gen. 346. See also s. 14.38 (10).

985.05 Official municipal newspapers. (1) The governing body of every municipality not required to have an official newspaper may designate a newspaper published or having general circulation in the municipality and eligible under s. 985.03 as its official newspaper or utilize the same for specific notices. The governing body of such municipality may, in lieu of newspaper publication, direct other form of publication or posting under s. 985.02 (2). Other publication or posting, however, shall not be substituted for newspaper publication in proceedings relating to: tax redemptions or sales of land acquired by the county or city authorized to act under s. 74.87 for delinquent taxes, charges or assessments; civil annexations, detachments, consolidations or incorporations under chs. 59 to 66; or legal notices directed to specific individuals. Posting may not be substituted for publication in school board elections conducted under s. 120.06 or publication under s. 60.80 (2) of town ordinances imposing forfeitures. If an eligible newspaper is published in the municipality, other publication or posting shall not be substituted for newspaper publication under s. 61.32 or 61.50.

(2) When any municipality has designated an official newspaper, all legal notices published in a newspaper by such municipality shall be published in such newspaper unless otherwise specifically required by law.

(3) In lieu of the requirements of this chapter, a school board may publish or publicize under s. 120.11 (4).

History: 1975 c. 138; 1983 a. 532; 1985 a. 225; 1987 a. 378.

A county board may not designate more than one newspaper having a general circulation in the county as its official newspaper. However, the county board may direct that a particular legal notice also appear in one or more other county newspapers. 60 Atty. Gen. 95.

A county with a population of less than 250,000 is not required to designate an official newspaper. A county is not required to seek bids for the publication of legal notices. Even if a county does not competitively bid the publication of its own proceedings as provided in s. 59.14 (3), it may print its own proceedings or post them on its web site. A county may not, in lieu of publication in a printed newspaper or posting on a physical bulletin board, post its legal notices on its official web site. OAG 2–08.

985.06 Official city newspaper. (1) In 2nd and 3rd class cities, the clerk shall, on or before the 2nd Tuesday of April, advertise in the official city newspaper, or if there is none, in a newspaper published in the city and eligible under s. 985.03, for separate proposals to publish in English the council proceedings and the city's legal notices, respectively, for the ensuing year, inviting bids from all daily and weekly newspapers published in such city which are eligible under s. 985.03, also stating the security required with each bid, which shall be previously fixed by the council, and requiring delivery of the bids in writing, sealed, at the clerk's office by 12 noon of the first Tuesday of May. At that hour, the clerk shall, in the presence of the mayor or an alderperson, open the bids and enter them in a record kept for that purpose. No bid from other than a newspaper legally invited to bid, or for more

than the legal rate for like work, shall be of any effect. The paper making the lowest effective bid for the city's legal notices shall be awarded the contract therefor. If 2 or more effective bids are for the same price, and no lower effective bid is filed, the clerk shall transmit such tie bids to the council at its next meeting and the council shall designate the successful bid. If no effective bid is received, the council may direct the clerk to readvertise as before. Each successful bidder shall execute a contract in accordance with the bid and file such bond for its performance as the council requires. No such paper shall receive more or less than the contract price nor any other compensation for the work. The paper securing the contract for the publishing of the city's legal notices shall be the official city newspaper.

(2) In cities of the fourth class, the council, at its first meeting or as soon as may be, shall designate one or more newspapers eligible under s. 985.03 and published in the city, if any, otherwise published in the county and having a general circulation in the city, for publication of the council proceedings and as the official city newspaper for the publication of the city's legal notices for the ensuing year. The council shall fix the price at not to exceed the legal rate for like work.

(3) The publisher, before the claim for the publication is audited, shall file with the clerk proof of publication by affidavit of the printer or foreman, attached to a copy of the matter published, stating the date or dates of publication. Such affidavit shall be conclusive evidence of publication for the purpose of audit.

(4) If for any reason any city is at any time without an official city newspaper, matters required to be published shall be published in a newspaper eligible under s. 985.03, designated by the council, at not more than the legal rate for like work.

History: 1993 a. 184, 491.

985.065 Publication and printing; counties with population of 250,000 or more. (2) (a) In counties having a population of 250,000 or more, the county board of supervisors, at its annual meeting shall direct the county clerk to invite proposals from the English newspapers published daily in said county, for the publication and printing of the proceedings of said board, and all other notices or advertisements as shall be authorized or required to be published or printed by the said board and all officers, boards and departments of said county, during the next ensuing year, which publications and advertising may be divided and classified if the said board shall so order.

(b) Such proposals shall name a price per standard line, or shall name a price per standard line per thousand of average daily circulation in such county for the period of 6 months next preceding the date of such proposals, as shown by the affidavit of an authorized officer or agent of such proponent, or shall name a price for such advertising space as may be required or ordered by the board at any time during the year for which awards are made, or, at the option of the proponent, shall include any or all of such separate proposals as aforesaid.

(c) The said board may by resolution suspend the publication of proceedings in newspapers and provide for the printing thereof in pamphlet form until the further action of the board in relation thereto. Separate bids may be called for if so ordered by said board, from printers in the county, for the printing of the proceedings of said county board in pamphlet form in such quantities as shall be determined by said board.

(d) Each bid shall be accompanied by a certificate of the county treasurer that the bidder has deposited with the county treasurer a United States bond, corporate surety bond or certified check in the sum of \$500, or the cash deposit of a like amount, conditioned that said bidder will, if successful, enter into a contract as provided in the resolution of said board or invitation for such bids. The county clerk shall on the date named in said invitation for bids, in the presence of the committee on printing and stationery of said board, open all such proposals and enter upon his or her minutes a record thereof, all of which shall be reported to the board at its next meeting, together with the recommendations of said committee. The

said board shall thereupon consider such proposals and by its resolution designate and award such advertising and printing to the lowest bidder or to the lower bidder based upon a rate per thousand of average daily circulation in such county, or said board may award such publication and printing to the lowest bidder and also to the lowest bidder per thousand of average daily circulation as aforesaid, or said board may award any division or classification of such publication and printing made under the provisions hereof, to the lowest bidder and award the remaining division or divisions, or classification, to the lowest bidder per thousand of circulation aforesaid. If the board elects to print its proceedings in pamphlet form only, the invitation for bids and the award may be made to the lowest responsible bidder, at a rate per standard line, or per page, or such other basis as the board determines.

(e) Upon the award of the contract, or contracts, the deposits of unsuccessful bidders, and upon execution of proper contracts by successful bidders, the deposits shall severally be returned. The contract, or contracts, shall be accompanied by a good and sufficient bond in such amount as shall be fixed by said board conditional for the faithful performance of such contract.

(f) The said board of supervisors may, in lieu of the foregoing provisions, provide by ordinance, a method of printing and publication of its proceedings and notices, and the method of obtaining bids and contracts therefor.

(g) In any case where it shall be deemed advisable, the county board may provide for further or additional publication of notices in appropriate trade mediums.

(h) The rates provided by s. 985.08 for legal notices shall not apply to printing or publications hereunder.

History: 1983 a. 192; 1993 a. 486.

985.07 Classes and frequency of legal notices. There shall be 3 classes of legal notices under this chapter. The designated number of insertions is the minimum required by law, and the frequency may be increased at the discretion of the requisitioning agency.

(1) **CLASS 1 NOTICES.** All notices designated as class 1 notices require one insertion.

(2) **CLASS 2 NOTICES.** All notices designated as class 2 notices require 2 insertions.

(3) **CLASS 3 NOTICES.** (a) All notices designated as class 3 notices require 3 insertions.

(b) Any legal notice not otherwise designated shall be a class 3 notice unless the time permitted by law necessitates a class 2 or class 1 notice, except that any notice required by law on January 2, 1966, which is not otherwise designated, shall be a class 1 notice.

(4) The classification provided herein does not apply to notices of public election or referendum or to notices governed by s. 815.31 but such notices shall be governed by the specific statutes relating thereto.

History: Sup. Ct. Order, 67 Wis. 2d 585, 784 (1975).

985.075 Substance of 2nd and 3rd insertions. (1) In this section, "summary" means a brief, precise, and plain-language description that can be easily understood.

(2) Except as provided in sub. (3), when a governing body of a municipality is required by law to publish a legal notice as a class 2 notice or a class 3 notice, the governing body may, for the 2nd and 3rd insertions and in lieu of publishing the full text of the material required to be included in the first insertion of the legal notice, publish a summary of the material included in the first insertion in the same manner in which the first insertion was published. The governing body shall ensure that the summary is accompanied by a notice that the full text of the material included in the first insertion is available for viewing at all of the following locations:

(a) As an electronic document on the governing body's Internet site.

in a particular newspaper and the name of such newspaper is changed before such publication is commenced or before it is completed, the publication shall be made or continued in the newspaper under its new name with the same effect as if the name had not been changed. The proof of the publication, in addition to other requirements, shall state the change of name and specify the period of publication in such newspaper under each name.

(2) When a newspaper ceases to be published before the publication of a legal notice is commenced, or when commenced ceases before such publication is completed, the order for publication, when one is required in the first instance, may be amended by order of the court or judge, on proof of the fact by affidavit, so as to designate another newspaper, as may be necessary; and if no order is required in the first instance such publication may be made or completed in any other newspaper; and any time during which such notice is published in the first newspaper shall be reckoned a part of the time required for the publication thereof, proof of which may be made by affidavit of any person acquainted with the facts. The second newspaper may be one published in an adjoining county in the cases mentioned in s. 985.14.

985.14 Refusal to publish. When there is only one newspaper in a county and the publisher thereof refuses to publish a legal

notice, such legal notice may be published in a newspaper printed in an adjoining county; and proof by affidavit of the reason why such publication was made in an adjoining county shall accompany the proof of publication, or the order for publication, when any is necessary, may be made or amended by the court or judge so as to designate a newspaper in an adjoining county, upon affidavit showing the necessity therefor. Whenever a legal notice is required by law to be published in a newspaper in any county having a village or city situated partly in said county and partly in an adjoining county where there is no newspaper printed in such village or city within the county first mentioned, but there is a newspaper published in such village or city within such adjoining county, such notice may be published in such last mentioned newspaper.

985.15 Forfeiture for refusal to publish. If the publisher or printer of a newspaper shall, after payment or tender of the publisher's or printer's legal fees therefor, refuse or willfully neglect to publish any legal notice required in pursuance of law or a lawful order of publication to be published in the publisher's or printer's newspaper, being able to make such publication, the publisher or printer shall forfeit \$25, one-half to the party prosecuting therefor.

History: 1993 a. 486.

Hi Leah!

Those are the current, 2023 rates for The Gazette.

I contacted our circulation department, who reported an area subscription (Orfordville, Evansville, Albany, Brodhead and Footville) of 557, and 53536 accounts for ~200 of that total.

I couldn't find anyone who has our readership numbers in that area, but have a query out to sales department, who always knows our readership stats vs circulation, and also our digital reach numbers. Readership (the numbers I don't have) is always higher than circulation, as it factors in households, and people who share a paper, other situations, people who access online without subscription, etc..

We publish our legals to Wisconsin Public Notices (<https://www.wisconsinpublicnotice.org/>) where they are free to view and search (at the bottom of every legal ad, we put the publish date, and WNAXLP, which keys it to be collected by the site). They are also visible as printed in our e-edition to subscribers, and the notices can be read by anyone on the classified section of our website at www.gazettextra.com.

Michele