



MEMORANDUM

TO: Honorable Members of the Assembly Committee on Judiciary

FROM: Marcie Rainbolt, Government Affairs Associate

DATE: September 21, 2017

SUBJECT: Support for Assembly Bill 120; information required to be included in class 2 and class 3 legal notices

The Wisconsin Counties Association (WCA) supports Assembly Bill 120 (AB 120), relating to information required to be included in class 2 and 3 legal notices. This legislation is consistent with WCA's efforts promoting efficiency and fiscal responsibility at a time when counties and other local governments are continually being asked to do more with less.

In 2016, the Legislature decided the issue of publication of governmental documents and legal notices should be studied in-depth and created the Legislative Council Study Committee on Publication of Government Documents and Legal Notices. This study committee was directed to update and recodify state statute chapters 35 and 985 as well as consider allowing local governments the option to make notices available electronically. Michael V. Schlaak, Calumet County Treasurer, was a public member of the study committee representing the interests of all 72 Wisconsin counties.

From this study committee came the introduction of AB 120. Under current law, a legal notice is either class 1, 2, or 3 which corresponds to the frequency of the required number of times the notice must be published. A class 2 notice must be published once a week for 2 consecutive weeks and a Class 3 notice must be published once a week for three consecutive weeks. The last publication must occur at least a week prior to the act or event which is detailed in the notice.

AB 120 would allow a municipality the option to publish a summary of the notice—as opposed to the notice in its entirety—for the second and third publication of Class 2 and Class 3 notices. The summary would have to provide information on the newspaper where the notice was originally published, the municipal website where the notification can be found, the Wisconsin Newspaper Association legal notices website, and the physical location of the notice at the municipality.

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AB 120 would allow counties the ability to save taxpayer dollars while still keeping their constituents adequately informed of events and actions of their local government. WCA respectfully requests the committee's support for AB 120 to allow for more flexibility and greater local control over the publishing of local notices.