

JOHN SPIROS

State Representative • 86th Assembly District

Assembly Bill 120

January 9, 2018

Testimony from Rep. Spiros

Good morning, and thank you Chairman Feyen and members of the Senate Committee on Economic Development, Commerce, and Local Government for allowing me to have the opportunity to share my testimony with you today regarding Assembly Bill 120, which was the result of the Legislative Council Study Committee on Publication of Government Documents and Legal Notices.

The Study Committee was directed to update and recodify chapters 35 and 985, statutes relating to the publication and distribution of government documents and legal notices, to reflect technological advances and remove obsolete provisions. In addition, the committee was to study whether, and in what circumstances, current law should be modified to allow for information to be made available only electronically or through nontraditional media outlets. In the end, the Study Committee chose to submit two bills to be considered in the legislature, one of which is being heard today.

Assembly Bill 120 allows a municipality the option to publish a summary for the second and third insertions that are required for publication of certain Class 2 and Class 3 notices if the summarized notice also identifies a number of sources where the full-text content may be viewed. This bill will reduce costs and burden for municipalities, as well as ensure that citizens are still able to easily find the Class 2 and Class 3 notices.

Assembly Amendment 1 clarifies the last paragraph of the bill dealing with notices that are the result of a court order or court proceeding. The amendment does not change the intent behind the bill, but simply adds some clarification.

Thank you again for allowing me the opportunity to share testimony in support of these bills, and I welcome any questions. Scott and Steve from Leg Council are also here with me and would be happy to help answer questions.



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MEMORANDUM

TO: Honorable Members of the Senate Committee on Economic Development,
Commerce and Local Government

FROM: Marcie Rainbolt, Government Affairs Associate

DATE: January 9, 2018

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 Class 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 determined an in-depth study on publications of governmental documents and legal notices should be conducted 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 two 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

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physical location of the notice at the municipality.

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.