



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
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December 5, 2019

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Cumberland Advocate

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2020 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, 2020 through December 31, 2020.

Part 1 -- Newspaper Information

Section 985.01 of the Wisconsin Statutes establishes the definitions: As used in this chapter, unless the context requires otherwise:

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| <p>(1b) "Bona fide paid circulation" means the paid circulation of a newspaper that satisfies all of the following:</p> <p>(a) The publisher of the newspaper sells 50 percent or more of the circulation of the newspaper.</p> <p>(b) The publisher of the newspaper has actual subscribers at each publication of not less than 1,000 copies in 1st and 2nd class cities or 300 copies in 3rd and 4th class cities, villages, or towns.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> | <p>(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:</p> <p>(a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.</p> <p>(b) Every notice and certificate of election, facsimile ballot, referenda, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law.</p> <p>(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.</p> <p>(3) "Municipality" has the meaning in s. 345.05 (1) (c) and includes a long-term care district under s. 46.2895.</p> <p>(3g) "News content" means written information and images, other than advertisements, that are printed in a publication.</p> <p>(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, [at least] 25 percent news content per issue, including reports of</p> |
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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.

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: 1,872
Circulation Adjust: 0%
Day(s) Published: W
County: Barron

Telephone: (715) 822-4469
Fax: (715) 822-4451
E-Mail: news@cumberland-advocate.com
Parent Co.: Jackson County Publications

Part 2 -- General Legal Notices

Section 985.08 of the Wisconsin Statutes provides for publishing legal notices calculated on a per line basis: Fees for publishing. (1) "The fee for publishing a legal notice shall be not more than the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50 percent of the standard line base rate without adjustment for circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line."

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	9	114	9.40	0.4674	0.4674	0.3692
Arial	9	114	19.40	0.9646	0.9646	0.7620
Arial	9	114	29.40	1.4618	1.4618	1.1548
Arial	9	114	39.40	1.9591	1.9591	1.5476
Arial	9	114	49.40	2.4563	2.4563	1.9404
Arial	9	114	59.40	2.9535	2.9535	2.3332

State law allows state agencies, municipalities, and any other units of government may place an order for public notices in a display or classified manner. Section 985.08(7), Wis. Stats., provides as follows:

"The discretion of utilizing the display method of publishing official materials shall be vested solely in the public authority ordering such publication and the rate charged for publication in this instance shall not exceed the regular commercial display advertising rate of the publisher."

Part 3 -- 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 **\$0.7794** first insert and **\$0.6157** 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: \$0.7794		
8,000 or less	0%	\$0.7794
8,001-12,000	15%	\$0.9069
12,001-16,000	30%	\$1.0345
16,001-20,000	45%	\$1.1620
20,001-24,000	60%	\$1.2896
24,001 and up	75%	\$1.4171
Subsequent Insert: \$0.6157		
8,000 or less	0%	\$0.6157
8,001-12,000	15%	\$0.7165
12,001-16,000	30%	\$0.8172
16,001-20,000	45%	\$0.9180
20,001-24,000	60%	\$1.0187
24,001 and up	75%	\$1.1195

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.

Part 4 -- General Information

QUALIFICATIONS: Section 985.03, Wis. Stats., establishes the minimum requirements for a newspaper to be eligible to publish legal notices.

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| <p>(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:</p> | <p>1m. For at least 2 of the 5 years immediately before the date of the publication of the notice, the newspaper has been published regularly and continuously in the city, village, or town where published.</p> |
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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 is published regularly and continuously 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.

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