

**HB**

**236**

<u>Paper</u>	<u>Circulation</u>
Alaska Journal of Commerce	3,200
Aleutian Eagle	3,800
All Alaska Weekly	4,000
Anchorage Daily News	79,938
The Aniak Paper	250
Arctic Sounder	1,900
Arctic Star	7,000
Barrow Sun	1,000 +
Borough Post	1,000 +
Bristol Bay News	3,000
Bristol Bay Times	3,000
Capital City Weekly	16,000
Chilkat Valley News	1,100
Chugiak-Eagle River Star	4,250
Copper River Country Journal	1,500
Cordova Times	1,750
Daily Sitka Sentinel	2,905
The Delta Paper	1,300
Eagles Call	2,500
Fairbanks News-Miner	19,700
Frontiersman	6,600
Homer News	4,000
Island News	1,600
Juneau Empire	8,000
Ketchikan Daily News	4,700
Kodiak Daily Mirror	3,800
Mukluk News	700
Nome Nuggett	3,200
North Pole Independent	3,000
The Northern Light	5,000
Peninsula Clarion	5,000
Petersburg Pilot	1,800
Seward Phoenix Log	2,000
Skagway News	750
Sourdough Sentinel	7,500
Tundra Drums	6,300
Valdez Pioneer	4,200
Valdez Vanguard	1,800
Valley Sun	10,000
Village Voice	4,300
Wrangell Sentinel	1,500

APPENDIX 3

NPP Publishing <sup>Ⓞ</sup>	1,480
Pacific Rim Publishing*	3,383
Peninsula Clarion	29,172
Petersburg Pilot	9,027
Ptarmigan Ptimes	700
Senior Voice	1,523
Skugway News	536
Seward Phoenix Log	7,190
Tundra Drums	25,586
Tundra Times	38,267
Valley Sun	4,584
Valdez Vanguard	8,344
Wrangell Sentinel	6,910
<b>Alaska Subtotal</b>	<b><u>1,199,909</u></b>
New York Times	1,563
Portland Daily Journal	15,272
Portland Observer	405
Portland Oregonian	2,004
Seattle Times	18,560
Wall Street Journal	4,123
Washington Post	1,532
<b>Non-Alaska Subtotal</b>	<b>43,457</b>
<b>TOTAL</b>	<b><u>\$ 1,243,366</u></b>

Source: AKSAS

\* Air Alaska, Alaska Journal of Commerce, and others.

# Barrow Sun, Borough Post, Aleutian Eagle, etc.

Ⓞ Cordova Times and Valdez Vanguard.

Note: Appendices 2 and 3 totals are not equal, apparently due to AKSAS entry errors or the inclusion in Appendix 3 data of subscription costs.

SENATE COMMITTEE REPORT

DATE: 4/20/93

FURTHER:

DATE TURNED INTO OFFICE: 4/23/93

JUDICIARY Committee considered CS FOR HOUSE BILL NO. 236(RLS) am

"An Act relating to notices for the sale of certain real property."

and recommends:

- replace with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- or  adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts \_\_\_\_\_ Letter of Intent

further referral to the \_\_\_\_\_

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
House L+C	3-29-93	✓	

Appropriation No Fiscal Note

DO PASS:

Richard Halford

George H. ...

\_\_\_\_\_

\_\_\_\_\_

OTHER RECOMMENDATIONS:

Suzanne K. Little, No Recs

\_\_\_\_\_

\_\_\_\_\_

Adrian L. Taylor No Rec

Chair: Signature and Recommendation

# HOUSE LABOR AND COMMERCE COMMITTEE

ALASKA STATE LEGISLATURE

STATE CAPITOL, JUNEAU, AK 99801-1182  
(907) 465-4954



## SPONSOR STATEMENT

### CSHB 236 (Rules)(am)

Alaska is one of the few (perhaps only) states where publication of foreclosure notices occurs in metropolitan daily newspapers (e.g., Juneau Empire, Anchorage Daily News, Fairbanks News-Miner, and Nome Nugget). In most other jurisdictions, required legal notices are published in daily or weekly newspapers catering in part to legal, banking, and real estate professionals, that provide the most efficient dissemination of notice at a cost of publication substantially lower than that charged by larger circulation metro dailies. In these other jurisdictions, state statutes typically define with specificity the requirements and qualifications for newspapers suitable for public notice. Such statutory qualifications address editorial content, publication schedule, minimum paid circulation, and other criteria to ensure that the widest potential audience with interests in public notices may be reached at the most competitive cost.

Currently, no such statutory specificity exists in Alaska. For notice of sale on execution (foreclosure sale) our statute states that such notice shall be published in a "newspaper of general circulation." Therefore, definition of "general circulation" is subject to interpretation.

Because of this lack of specificity, title companies, banks, and attorneys are very cautious about using other than the metropolitan dailies for fear of potential litigation. The result has been to create de facto monopoly publishing entities in each of Alaska's four judicial districts.

CSHB 236 (Rules)(am) would provide the specificity currently lacking in our statutes and would establish a needed level of comfort for title companies and others to consider alternatives to the publishing status quo.

It is important to note that CSHB 236 (Rules)(am) in no way changes the status of existing metro dailies which would continue to qualify as papers of general circulation. It would merely provide the statutory certainty that other papers also qualify, thereby allowing the advertiser of foreclosure notices the flexibility to choose the paper best suited for the purpose at the most competitive price.

In its original form, HB 236 addressed "newspapers of general circulation," in Title 1 for the purpose of defining that term. However, it was brought to our attention by the Attorney General's office that by using Title 1, over 80 statutory references to "newspapers of general circulation"

SPONSOR STATEMENT

would have been affected. Since the primary objective of the bill is to address foreclosure notices, the Attorney General suggested addressing Title 9, Notice of sale on execution instead. This was done with the committee substitute.

# DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

## MEMORANDUM

March 15, 1993

**SUBJECT:** Considerations in draft relating to newspapers of general circulation (Work Order No. 8-LS0852\A)

**TO:** Representative Bill Hudson,  
Chair, House Labor and Commerce Committee  
Attn: Lynda

**FROM:** Theresa L. Bannister <sup>B</sup>  
Legislative Counsel

This memo accompanies the draft of the bill that you requested relating to newspapers of general circulation.

The two-year publication requirement makes your bill vulnerable to an equal protection challenge. The outcome of a challenge is unclear. To reduce the chances of a challenge succeeding, the legislative record on the bill should indicate that the two-year period, as opposed to, for example, a one-year period, is needed to ensure that the newspaper is sufficiently established. The record should also indicate the reasons for this conclusion.

With regard to the declaration that a publication qualifies as a newspaper of general circulation for a particular area, you may wish to consider having an executive branch agency provide this service. However, please keep in mind that, whether the executive or judicial branch provides this service, the determination will have to be made for each specific statute due to the "relevant area" factor. In other words, the publication cannot make one request for a determination and thereafter be considered a "newspaper of general circulation" for all the statutes. Since the definition of "newspaper of general circulation" is tied to a "relevant area," each determination will have to be made based on the relevant area that the governing statute or regulation is addressing.

Regulations are covered by the definition in this bill because AS 01.10.060 applies to the "laws of the state," and "laws" includes regulations.

If I may be of further assistance, please advise.

TLB:pl  
93-195.plm

LEGAL SERVICES MEMO

# HOMER NEWS

3482 Landings Street

Homer, Alaska 99603-7999

(907) 235-7767

April 2, 1993

Ms. Linda Giguere  
Legislative Aid  
HOUSE LABOR AND COMMERCE COMMITTEE  
Juneau, AK

HOMER NEWS	
FAX TRANSMITTAL MEMO	
TO: <u>L. GIGUERE</u>	OF PAGES
FAX#: <u>465-6790</u>	<u>1</u>
FROM: <u>KAREN</u>	
PHONE: 235-7767	FAX#: 235-4199

Re: House Bill 236

Dear Linda:

In response to the latest amendment to House Bill 236, I would like to clarify, further, one other point.

Under Section I (F) it reads: "has an average paid circulation or distribution of at least 1,000 copies of each issue."

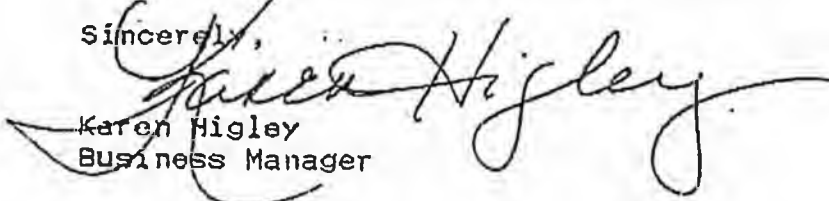
Paid circulation is a way to gauge what percentage of the population is reading the newspaper. It is generally accepted that if someone pays for a newspaper they will read it. Paid-circulation newspapers with a second-class mailing permit can verify their circulation and readership (based on accountability of sales) by the U. S. Postal Service or independent firms such as the Audit Bureau of Circulation. Free distributed or third-class mailed newspapers are not required to be audited by the postal service nor any other independent firm. Therefore, no independent accountability is available.

Paid circulation is also a way to guarantee that the government's dollars are being spent effectively.

My concern is that Section I (F) should be changed to reflect: "has an average paid circulation of at least 1,000 copies of each issue." Leaving the word "distribution" without specifying "paid distribution" would imply that any newspaper with any type of distribution would qualify.

Thank you for your help and assistance.

Sincerely,

  
Karen Higley  
Business Manager

**ALASKA NEWSPAPERS, INC.**  
P.O. BOX 100319 ANCHORAGE, ALASKA 99510  
Phone: (907) 279-5516 Fax: (907) 272-5060

April 9, 1993

Hon. Bill Hudson  
House of Representatives  
P. O. Box V  
Juneau, AK 99811

RE: CS for House Bill 236

Dear Representative Hudson:

The purpose of writing this letter pertains to House Bill 236. To help encourage newspapers in Alaska, we support CS HB 236 amendment for circulation of 1000 bona fide subscribers.

We want to see the requirement for second class mailing permits remain in the language. Legal notices should have the speediest and widest possible dissemination to the public. Third class permits mailed from outside and within urban Alaska takes too long to be delivered into rural Alaska.

We do not support any further amendments to this bill. We are content with the present language of CS HB 236 as written.


We are an Alaska Native-owned and Alaska based newspaper company with circulation of 20,000 mailed to rural Alaska.

Enclosed is a list of the names of the newspapers within Alaska Newspapers, Inc.

If you have any questions please contact Dave Hunter, General Manager at 272-9830, or myself at 279-5516.

Sincerely,

ALASKA NEWSPAPERS, INC.

  
Matthew Nicolai  
Director

Enclosure

ALASKA NEWSPAPERS SUPPORT

# ALASKA NEWSPAPERS INC.

*The most cost-effective way to reach rural Alaska. Each ANI newspaper is paid circulation — locally reported and written. We are the newspapers of choice in each of the communities we serve. From Cordova to Kotzebue, Alaska Newspapers delivers the results you need for your advertising dollar.*

## THE ARCTIC SOUNDER

- Serving residents of Kotzebue and the Northwest Arctic Borough since 1986.
- Paid circulation: 1,900

## THE BRISTOL BAY TIMES

- Serving the residents of Dillingham, Dutch Harbor, Naknek, King Salmon and the Bristol Bay area since 1980.
- Paid circulation: 3,150

## THE CORDOVA TIMES

- Serving Cordova residents since 1914. The Times is a Prince William Sound Institution.
- Paid circulation: 1,650

## THE DUTCH HARBOR FISHERMAN

- Serving the Aleutians from Nelson Lagoon to Adak, and the Pribilof Islands.
- Circulation: 2,500

## THE SEWARD PHOENIX LOG

- Serving eastern Kenai Peninsula residents in the communities of Seward, Moose Pass, Cooper Landing and Hope since 1966.
- Paid circulation: 2,200

## THE TUNDRA DRUMS

- Serving residents of Bethel and the entire Yukon-Kuskokwim Delta area since 1974.
- Paid circulation: 6,700

## THE VALDEZ VANGUARD

- Serving the residents of Valdez and the entire Copper River Basin, since 1975.
- Paid circulation: 1,600

## CHANNEL MARKERS

- A weekly television guide providing complete coverage of cable and RAINET programming.

# RATES & MECHANICALS

## OPEN RATES per column inch

THE ARCTIC SOUNDER .....	\$7.25
THE BRISTOL BAY TIMES .....	\$7.25
THE CORDOVA TIMES.....	\$7.25
THE DUTCH HARBOR FISHERMAN.....	\$8.75
THE SEWARD PHOENIX LOG .....	\$7.25
THE TUNDRA DRUMS.....	\$8.75
THE VALDEZ VANGUARD .....	\$6.75

## CHANNEL MARKERS • \$25.00

CHANNEL MARKERS CONTRACT RATES
13 weeks • 3% discount
26 weeks • 5% discount
52 weeks • 10% discount
(3 column inch minimum)

## COMBINATION RATES

per column inch

4 OR 5 PAPERS	\$30.00
6 OR 7 PAPERS	\$35.00

## ANNUAL

## BULK CONTRACT RATES

150 column inches • 3% discount
300 column inches • 5% discount
500 column inches • 10% discount
750 plus column inches • 15% discount

## ANNUAL WEEKLY

## FREQUENCY CONTRACT RATES

6 column inches • 15% discount
18 column inches • 20% discount
35 column inches • 30% discount
75 plus column inches • 40% discount

26 weeks • add 50¢ per column inch
13 weeks • add \$1.00 per column inch
Plus applicable local sales tax, if any.

## SIZES

Five column by 15 inch format containing 75 column inches per page.

1 column .....	1-13/16"	3 column .....	5-3/4"
2 column .....	3-13/16"	4 column .....	7-3/4"
		5 column .....	9-3/4"

## COLOR

Black and 1 color • \$150
Black and 2 colors • \$300
Black and 3 colors • \$400
Full color reproduction • \$425
(does not include color separation)

## PREPRINTED INSERTS

1 to 8 pages (up to 1 ounce) • \$85 per 1,000
9 to 16 pages (up to 2 ounces) • \$115 per 1,000
over 16 pages (over 2 ounces) • call for quote
(maximum non-folded size, 11-inches by 17-inches)

## CLASSIFIED ADS

20¢ per word or \$1 per line
(\$3.00 minimum, per week)
Legal Notices • \$1 per line

<b>MULTIPLE PAPER DISCOUNTS</b>
3 papers • 40¢ or \$2 per line
4 to 6 papers • 80¢ or \$4 per line
7 papers • \$1.00 or \$5 per line

## PROMPT PAYMENT DISCOUNTS

10 days • 3%	Prepaid • 5%
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## 15% AGENCY COMMISSION

Standard agency commission is honored for recognized agencies providing camera-ready materials and payment within 30 days from date of invoice. Reserve space by 5 p.m. Friday - deliver camera-ready ads by 5 p.m. Tuesday (Channel Markers - 5 p.m. Monday).

## DEADLINES

5 p.m. Friday before publication
Channel Markers • 5 p.m. Wednesday

## POSITION PLACEMENT POLICY

Back Page • 1 color minimum

All other position placements will be on a space available basis only. We strive to accommodate position requests but cannot guarantee position.

# ALASKA NEWSPAPERS INC.

Eric Hancock • Advertising Director  
Karen Huston • Advertising Manager  
503 E. 6th Ave., Anchorage, AK 99501  
(907) 272-9830 • FAX: (907) 272-9512