

CHAPTER 1240
DEPARTMENT OF ADMINISTRATION
PRINTING AND MAILING SERVICES DIVISION
LEGAL NOTICES

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1240.0100 PURPOSE AND SCOPE.

The procedures herein relate to the commissioner of administration's authority pursuant to Minnesota Statutes, sections 16.61, 331.07, 331.08, and 331.09, providing in part for the certification of and computation of standard and adjusted line rates.

Statutory Authority: *MS s 331.07; 331.08*

1240.0200 DEFINITION OF A "STANDARD LINE" FOR LEGAL NOTICES.

The "standard line" shall be six-point Times Roman with a lowercase alphabet of 90 points set on a six-point slug without spacing between the lines, and 11 picas in length, as required by Minnesota Statutes, section 331.07.

Statutory Authority: *MS s 331.07; 331.08*

1240.0300 EVALUATION AND CERTIFICATION OF LINE RATES FOR LEGAL NOTICES.

Subpart 1. **Request for evaluation and certification.** The following procedures shall be followed to request an adjustment evaluation from the standard line and certification of standard or adjusted line rates to any Minnesota newspaper, public official, or interested party requesting same. The functions of computing adjustment evaluations and issuing certifications of standards of adjusted line rates are performed only upon written request.

Subp. 2. **Contents of request.** Requests shall be completed as follows. All requests shall be filed with: Commissioner of Administration, c/o State Printer, 117 University Avenue, Saint Paul, Minnesota 55155. The request shall contain the following:

A. statement by publisher: name of newspaper; street address, zip code, city, and county; and publisher's name;

B. method of production: letterpress, matted & plated, or print from type: offset, hot type, cold type, or hot and cold type;

C. type used in printing legal ads: type size and name of type; pica width of single and double column; hot or cold type; justified or not justified (if not justified, minimum sample of five inches of type set in column width of the type used must be provided with request); three lower case alphabets in compact form for each column width and style of type which requires certification; (if the page forms are reduced in the camera or are matted, the lower case alphabet supplied must be reduced at the same percentage); and other relevant information requested by the commissioner or his agent.

Subp. 3. **New requests.** Publishers who change type faces or who make format changes that affect column widths may apply for new certified rates, including in the request a minimum of three lowercase alphabets in compact form (no letter spacing) for the type style to be used and for each of the column widths requiring new line rates.

Subp. 4. **Formula for evaluation.** To calculate line rates for nonstandard type faces and nonstandard line lengths, the formula to be used is based on the proportion of the alphabet length of the "standard" type face to the alphabet length of the nonstandard type face, in relation to the proportion of the length of the nonstandard line to the length of the "standard" line, in relation to the line charge for the "standard" line.

Formula for above is as follows:

$$\begin{array}{rcccl}
 \text{L.C. Alphabet} & & & & \\
 \text{(in points) of} & & & & \\
 \text{six-point Times} & & \text{Your column width} & & \\
 \text{Roman} & & \text{(in picas)} & & \\
 \hline
 \text{L.C. Alphabet} & \times & \text{Standard Times} & \times & \text{Standard} \\
 \text{(in points) of} & & \text{Roman 11 pica} & & \text{Line Rate} \\
 \text{type you use} & & \text{line length} & & \text{Line Rate} \\
 & & & & \text{Adjusted} \\
 & & & & \text{Line Rate} \\
 & & & & \text{=}
 \end{array}$$

A separate line rate certification is required for each type face used in setting for legal notices, and for each line length used in setting type for legal notices. Each line rate certification applies to only one type face and one column width (measuring from direct left to direct right of line length). It may not be used for any other billing. Line rate certification procedures apply to cold type composition as well as hot metal typesetting.

Statutory Authority: *MS s 331.07; 331.08*

1240.0400 FEES FOR PUBLICATION OF LEGAL NOTICES.

Fees for publications are established by Minnesota Statutes, section 331.08 for a standard line for first insertion and subsequent insertions and for what is termed "price and one-half" or "double price" composition. The definition of "price and one-half" or "double price" composition is established by the state printer and published in the pamphlet "Publication of Legal Advertising in Newspapers," including approved forms and computation samples, as required by Minnesota Statutes, section 16.61.

Statutory Authority: *MS s 331.07; 331.08*

1240.0500 CONTROVERSY BETWEEN PUBLISHER AND PUBLIC OFFICIAL.

Subpart 1. **Submitting copy to commissioner.** In case of controversy or disagreement between a publisher of a newspaper and a public official of this state as to the measurement of any legal notice published or required by law to be published in newspapers, such public official shall submit a copy of the printed notice to the commissioner of administration in accordance with the procedure described herein. The commissioner shall measure such notice and forward a certificate signed by him giving the number of lines and the amount of the fees allowed for the publication of such notice.

Subp. 2. **Procedure.** The following procedure is required:

A. The public official shall send one complete copy of the legal publication to be measured to: Commissioner of Administration, c/o State Printer, 506 Rice Street, Saint Paul, Minnesota 55103. Said copy of publication will not be returned.

B. The public official shall also send an affidavit of publication with indication of lowercase alphabet and the number of insertions used in said publication.

C. When disputed legal notices have been set by a third party, the public official shall state who set the legal notice and furnish three copies of lowercase alphabet in compact form of type used.

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D. If copy for legal notices is furnished in camera-ready form for use in the newspaper, the public official shall so state. Camera-ready copy is measured in the same manner as a ballot.

E. If legal notice was reduced by camera or matted at time of publication, the public official shall require the newspaper to submit a lowercase alphabet reduced by the same percentage as the notice which was published.

F. A stamped, return addressed number ten envelope shall accompany each measurement requested.

A complete copy of legal publication along with the computation sheet and a copy of certificate of measurement will be kept on file for at least one year.

Statutory Authority: *MS s 16.61; 331.09*

NOTE: Minnesota Statutes, sections 16.61 and 331.09 have been repealed by Laws of Minnesota 1980 chapter 471 section 3