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## SPECIAL REPORT

# LEGAL ADVERTISEMENTS STUDY

### AUDIT OVERVIEW

State, County, and Municipal Governments Could Realize Significant Savings If Legal Advertisements Were Statutorily Allowed to Be Placed on the Internet.



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## EXECUTIVE SUMMARY

The Performance Evaluation and Research Division (PERD) within the Office of the Legislative Auditor conducted this follow-up review of its September 2007 report on the study of statutory legal advertisements pursuant to W.Va. Code §4-2-5. One objective of this study was to follow-up on PERD's September 2007 report related to statutorily required legal advertisements and the costs incurred as a result of them to state agencies, county government agencies, county boards of education, public institutions of higher education, and the 10 most populous municipalities. An additional objective included determining the estimated costs for developing and maintaining a government website with a centralized repository where legal advertisements for all governmental entities could be placed.

### **Frequently Used Acronyms in This Report:**

PERD – Performance Evaluation and Research Division

SOS – The Office of the Secretary of State

### **Report Highlights:**

#### **Issue 1: State, County, and Municipal Governments Could Realize Significant Savings If Legal Advertisements Were Statutorily Allowed to Be Placed on the Internet.**

- After surveying 22 state agencies and subdivisions, all 55 county governments, subdivisions, and county boards of education, all 19 public institutions of higher education, and the 10 most populous municipalities, the Legislative Auditor determined that these entities combined paid more than \$4.6 million in FY 2019 to publish statutorily required legal advertisements in qualified newspapers.
- Since 2002, the daily circulation of qualified newspapers in West Virginia has declined by 50 percent.
- Currently, the internet is accessible to over 80 percent of households in West Virginia and 82 percent of the total population.
- A centralized legal advertisement repository on the internet could save government entities substantial funds by publishing statutorily required legal advertisements and notifications online. However, legislative action would be required in order to provide government entities the option to decide if using a centralized legal advertisement repository online would be best for them.

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## Recommendations

1. *The Legislative Auditor recommends that the Legislature consider amending statute to require state agencies and public institutions of higher education to post legal advertisements on an online state repository run by the Secretary of State's Office.*
2. *The Legislative Auditor also recommends that the Legislature consider amending statutes to allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements.*
3. *The Legislative Auditor recommends that if the Legislature finds that local newspapers are a public good that should be actively supported, the Legislature should consider methods other than the required placement of legal advertisements by state agencies, public institutions of higher education, county governments, county boards of education, and municipalities in newspapers in order to financially support the newspapers.*

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## ISSUE 1

### State, County, and Municipal Governments Could Realize Significant Savings If Legal Advertisements Were Statutorily Allowed to Be Placed on the Internet.

#### Issue Summary

The Legislative Auditor surveyed state agencies, county government agencies, county boards of education, public institutions of higher education, and the ten most populous municipalities as to the costs incurred for publishing statutorily required legal advertisements. **According to the survey responses, these government entities combined spent more than \$4.6 million in FY 2019 to have statutorily required legal advertisements published.** When the statute was enacted in 1967 requiring legal advertisements to be published in qualified newspapers, it was because newspaper publications were thought to be the most cost-effective and appropriate way to notify the public of statutory notifications. However, currently, this is not the case. The circulation of qualified newspapers in West Virginia has been in a long-term decline. Since 2002, the daily circulation of qualified newspapers has declined by 50 percent, or by 188,863 subscriptions. In addition, as a result of advances in technology, **the internet is now accessible to over 80 percent of households in West Virginia and 82 percent of the total population.**

Given the large expenses paid by government entities for legal advertisements, the decline in print newspaper circulation, and the increase in public internet accessibility, it is the opinion of the Legislative Auditor that state agencies and public institutions of higher education should be placing legal advertisements on the internet and other government entities should have the option to place legal advertisements on the internet in order to save taxpayer dollars and to better inform the public. This could be accomplished by creating a centralized legal advertisement online repository. According to estimates provided by the West Virginia Secretary of State's Office (SOS), the costs for developing and maintaining an online repository would be minor in comparison to the total costs of publishing legal advertisements in qualified newspapers.

The Legislative Auditor acknowledges that mandating and providing government entities the option to utilize the internet to publish legal advertisements would impact the newspaper industry in West Virginia. However, the State has a fiduciary responsibility to notify the public of statutory notifications in a cost-effective and appropriate manner. Therefore, the Legislative Auditor recommends that the Legislature consider amending statute to require state agencies and public institutions of higher education to post legal advertisements on an online state repository run by the Secretary of State's Office. The Legislative Auditor also recommends that the Legislature consider amending statutes

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*The Legislative Auditor surveyed state agencies, county government agencies, county boards of education, public institutions of higher education, and the ten most populous municipalities as to the costs incurred for publishing statutorily required legal advertisements. According to the survey responses, these government entities combined spent more than \$4.6 million in FY 2019 to have statutorily required legal advertisements published.*

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*The Legislative Auditor also recommends that the Legislature consider amending statutes to allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements.*

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to allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements.

### State Agencies and Local Governments Paid Over \$4.6 Million in FY 2019 for Statutorily Required Legal Advertisements to Be Published in Qualified Newspapers.

Table 1 shows that in FY 2019, government entities paid more than \$4.6 million to publish statutorily required legal advertisements in qualified newspapers.<sup>1</sup> The Legislative Auditor surveyed 22 state agencies including subdivisions, all 55 county governments and subdivisions, all 55 county boards of education, all 19 public institutions of higher education, and the 10 most populous municipalities to determine their FY 2019 costs for legal advertisements. The survey received a 100 percent response rate. In 2007, the Performance Evaluation and Research Division (PERD) surveyed state agencies, counties, and municipalities regarding their legal advertisement expenditures.<sup>2</sup> PERD reconducted this survey expanding the number of government entities to include county boards of education and all public institutions of higher education compared to the previous 2007 PERD report.

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*The Legislative Auditor surveyed 22 state agencies including subdivisions, all 55 county governments and subdivisions, all 55 county boards of education, all 19 public institutions of higher education, and the 10 most populous municipalities to determine their FY 2019 costs for legal advertisements. The survey received a 100 percent response rate.*

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**Table 1  
Legal Advertisement Survey  
Respondents and Financial Costs  
FY 2019\***

<b>Respondents</b>	<b>Total Number Surveyed</b>	<b>Percent Responded</b>	<b>Total Cost for Legal Ads</b>
<b>Counties</b>	55	100%	\$2,600,833
<b>County Boards of Education</b>	55	100%	\$323,559
<b>Higher Education Institutions</b>	19	100%	\$45,089
<b>State Agencies</b>	22	100%	\$1,597,759
<b>Municipalities</b>	10	100%	\$86,355
<b>Total</b>	<b>161</b>	<b>100%</b>	<b>\$4,653,596</b>

*Source: PERD analysis of survey responses provided by county clerk's offices, county boards of education, public higher education institutions, state agencies, and municipalities.*

*\*PERD did not audit the legal advertisement expenditures reported by the government entities surveyed.*

<sup>1</sup> The total breakdown of individual amounts paid by government entities for legal advertisements can be seen in Appendices B, F, G, H, and I.

<sup>2</sup> In September 2007, the Performance Evaluation and Research Division (PERD) published a report indicating that state agencies and governmental entities could save as much as \$3 million annually if legal advertisements could be statutorily placed on the internet.



According to the survey, county governments reported higher expenditures for legal advertisements than the other government entities surveyed. This can be attributed to high expenditures associated with publishing election and delinquent tax information. It should be noted that some of the counties surveyed indicated that the expenses for publishing legal advertisements increase during election years. The legal advertisements by state agencies such as the State Auditor’s Office, State Treasurer’s Office, the Supreme Court of Appeals, and the Department of Transportation are notifications that may affect the entire state, not just a particular region. As a result, state agencies may have to publish legal advertisements in multiple publications in order to notify the appropriate locations and intended populations.

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## **There Are Approximately 346 Legal Advertisement Requirements in Code for State Agencies and Governmental Entities.**

Table 2 shows that certain government notifications mandated by West Virginia Code require applicable entities<sup>3</sup> to publish legal advertisements with the purpose of informing the public of these notices. According to W. Va. Code §59-3-1(a)(1), a legal advertisement is “...any notice, advertisement, statement, information or other matter required by law or court to be published.” Legal advertisements are separated into six distinct classes. The difference between advertisement class distinctions pertain to the number of times that the advertisement is required to be printed as well as the number of newspapers in which the advertisement is to be printed.

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*According to W. Va. Code §59-3-1(a)(1), a legal advertisement is “...any notice, advertisement, statement, information or other matter required by law or court to be published.”*

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<sup>3</sup> A small number of legal advertisements are required to be placed by individuals (Notices of Sale W. Va. Code §38-1-4) as well as authorities and commissions organized between governments (Interstate Regional Planning Commission W. Va. Code §8-26-3). Although there are other entities that are required to publish legal advertisements, for our survey, we included the prominent entities.

**Table 2  
Legal Advertisements Class Distinctions**

<b>Class</b>	<b>Duration</b>	<b>Number of Publications</b>
Class I	One Time	One Qualified Newspaper
Class II	Once Per Week for Two Successive Weeks	One Qualified Newspaper
Class III	Once Per Week for Three Successive Weeks	One Qualified Newspaper
Class I-0	One Time	Two Qualified Newspapers
Class II-0	Once Per Week for Two Successive Weeks	Two Qualified Newspapers
Class III-0	Once Per Week for Three Successive Weeks	Two Qualified Newspapers

*Source: West Virginia Code §59-3-2.*

Legal advertisements are statutorily required to be published in “qualified newspapers.” W. Va. Code §59-3-1(b) defines qualified newspapers as such:

*(1) Any newspaper shall be of regular issue and must have a bona fide, general circulation in the publication area. A newspaper is considered to be of regular issue if it is published regularly, as frequently as once a week, for at least fifty weeks during the calendar year as prescribed by its mailing permit; and has been published for at least one year immediately preceding the date on which the legal advertisement is delivered to the newspaper for publication. A newspaper is considered to be of bona fide, general circulation in the publication area if it meets the definition of “general circulation” as defined in this section and is circulated to the general public at a definite price or consideration. (2) Any newspaper shall bear a title or name, consist of not less than four pages without a cover, and be a newspaper to which the general public resorts for passing events of a political, religious, commercial and social nature, and for current happenings, announcements, miscellaneous reading matters, advertisements and other notices.*

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***Legal advertisements are statutorily required to be published in “qualified newspapers.”***

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When a legal advertisement is required to be printed in two qualified newspapers, the newspapers must be of opposite politics.<sup>4</sup>

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<sup>4</sup> *To be a qualified newspaper, a newspaper must register with the Secretary of State and indicate political party affiliation and circulation.*

Legislative Services legal counsel determined that there are approximately 346 requirements collectively in West Virginia Code for Class I, Class II, Class III, Class I-0, Class II-0, or Class III-0 legal advertisements. Table 3 accounts for the number of each type of legal advertisement classification. The evidence shows that 47 percent of the citations identified are Class II, which requires that a legal advertisement be published once per week for two successive weeks in a single qualified newspaper in the publication area.

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*Legislative Services legal counsel determined that there are approximately 346 requirements collectively in West Virginia Code for Class I, Class II, Class III, Class I-0, Class II-0, or Class III-0 legal advertisements.*

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Type	Occurrences in Statute	Percent of Total
Class I	69	20%
Class II	161	47%
Class III	11	3%
Class I-0	29	8%
Class II-0	65	19%
Class III-0	11	3%
<b>Total</b>	<b>346</b>	<b>100%</b>

*Source: Legislative Services' analysis of the West Virginia Code.*

Examples of these requirements are as follows:

- the sale, lease or disposition of other municipal property (W. Va. Code §8-12-18, Class I for a sale, and Class II for a lease);
- the preparation, publication, and disposition of financial statements (W. Va. Code §8-13-23, Class I);
- sample ballots (W. Va. Code §3-5-10, Class I-0);
- the publication and posting of delinquent tax list (W. Va. Code §11A-2-13, Class II-0);
- competitive bids, publication of solicitation for sealed bids (W. Va. Code §8-27-23, Class I);
- the service of process (W. Va. Code §48-27-311, Class I);
- the procedure for adopting electronic voting system (W. Va. Code §3-4A-3, Class II-0); and
- dogs chasing deer (W. Va. Code §20-2-16, Class I).

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*The costs for legal advertisements that are set by statute and based on the circulation of the newspaper providing the advertisement service. Newspapers with larger circulations can charge more cents per word than newspapers with lower circulations.*

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A full list of citations and requirements may be found in Appendix C.

Table 4 outlines the costs for legal advertisements that are set by statute and based on the circulation of the newspaper providing the advertisement service. Newspapers with larger circulations can charge more cents per word than newspapers with lower circulations.

<b>Table 4 Allowable Qualified Newspaper Rates for Legal Advertisements</b>	
<b>Circulation</b>	<b>Rates Per Word*</b>
Less than 1,000	7.0 cents
1,000 to 5,000	11.5 cents
5,001 to 9,999	12.0 cents
10,000 to 29,999	13.0 cents
30,000 and Greater	14.0 cents
<i>Source: W. Va. Code §59-3-3 *Reflects 2003, 2004, and 2005 statutorily required increases as stated in W. Va. Code §59-3-3(a)(5).</i>	

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*According to figures provided by the SOS, from FY 2002 to FY 2019, the daily circulation for qualified newspapers has declined by 188,863 subscriptions, or by 50 percent over that period.*

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Additionally, W. Va. Code §59-3-3(c) indicates that for legal advertisements that are published more than one week in the same qualified newspaper, the cost of the first publication will be as shown in Table 4; and the cost of the second and each subsequent publication shall be 75 percent of the first publication.

### **West Virginia Newspaper Circulation Continues to Decline.**

Newspaper circulation has been declining in West Virginia. **According to figures provided by the SOS, from FY 2002 to FY 2019, the daily circulation for qualified newspapers has declined by 188,863 subscriptions, or by 50 percent over that period.** In addition, the total number of qualified newspaper circulation in West Virginia, which includes daily, weekly, Saturday, and Sunday publications, has declined by 210,713 subscriptions or a rate of 34 percent for FY 2002 to FY 2019. Furthermore, the decline from FY 2014 to FY 2019 alone has decreased by 153,176 total newspaper subscriptions at a rate of 27 percent. Table 5 shows a breakdown of the decline of qualified newspaper circulation in West Virginia for FY 2014 through FY 2019. It should be noted that the circulation figures in Table 5 do not include online subscriptions for qualified newspapers. According to the SOS, the total circulation data that it provided to the Legislative Auditor were for print circulation only. The SOS further indicated that it "...does not track, record or account for any digital presence for qualified newspapers."

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*It should be noted that the circulation figures in Table 5 do not include on-line subscriptions for qualified newspapers. According to the SOS, the total circulation data that it provided to the Legislative Auditor were for print circulation only.*

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<b>Table 5</b>			
<b>Qualified Newspaper Circulation Decline in West Virginia*</b>			
<b>FY 2014 through FY 2019</b>			
<b>Year</b>	<b>Daily</b>	<b>Weekly</b>	<b>Total</b>
2014	270,066	289,212	559,278
2015	260,491	298,363	558,854
2016	242,008	289,528	531,536
2017	192,985	233,683	426,668
2018	199,709	244,289	443,998
2019	185,959	220,143	406,102
<b>Amount Change</b>	<b>-84,107</b>	<b>-69,069</b>	<b>-153,176</b>
<b>% Change 2014-19</b>	<b>-31%</b>	<b>-24%</b>	<b>-27%</b>

*Source: PERD analysis of West Virginia newspaper circulation numbers provided by the Secretary of State's Office.  
\*Does not include online subscriptions.*

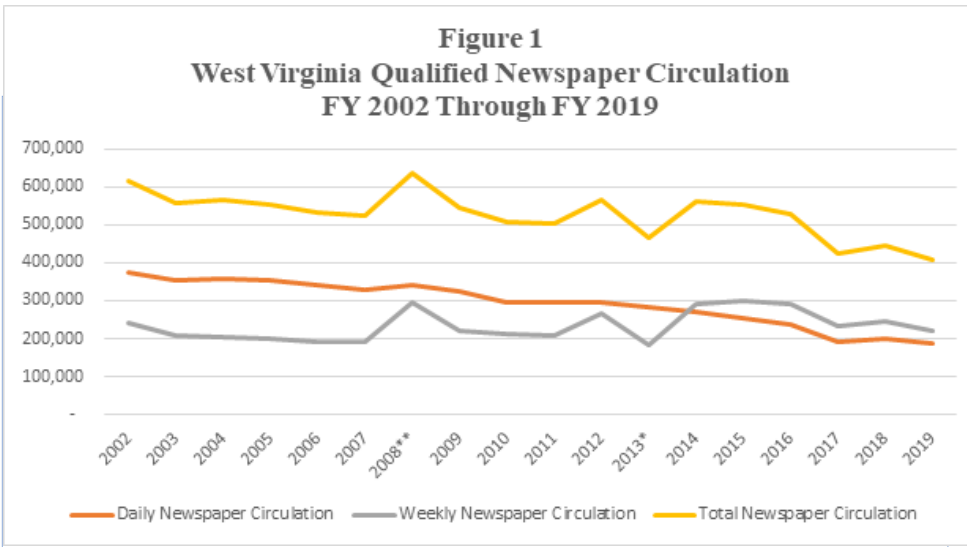
Table 5 shows that weekly newspaper subscriptions were greater than daily newspaper subscriptions for each year from FY 2014 through FY 2019. However, this can be attributed to the Charleston Gazette-Mail beginning to file for qualified newspaper status for its Sunday newspaper to be issued weekly in FY 2012; and for its Saturday newspaper in FY 2014. When combined, these two publications increased the total weekly circulation for qualified newspapers by over 100,000 subscriptions.

Figure 1 better illustrates the impact of the addition of the Charleston Gazette-Mail Saturday and Sunday newspaper subscriptions on the weekly and total circulation numbers beginning in FY 2012. However, more importantly, Figure 1 shows the trend of a gradual decline in qualified newspapers in West Virginia from FY 2002 to FY 2019, especially for the daily newspaper circulation.

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*Figure 1 shows the trend of a gradual decline in qualified newspapers in West Virginia from FY 2002 to FY 2019, especially for the daily newspaper circulation.*

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Source: PERD analysis of West Virginia newspaper circulation numbers provided by the Secretary of State’s Office. \*In FY 2013, the Charleston Gazette did not file for qualified newspaper status for its Sunday newspaper with the Secretary of State’s Office.

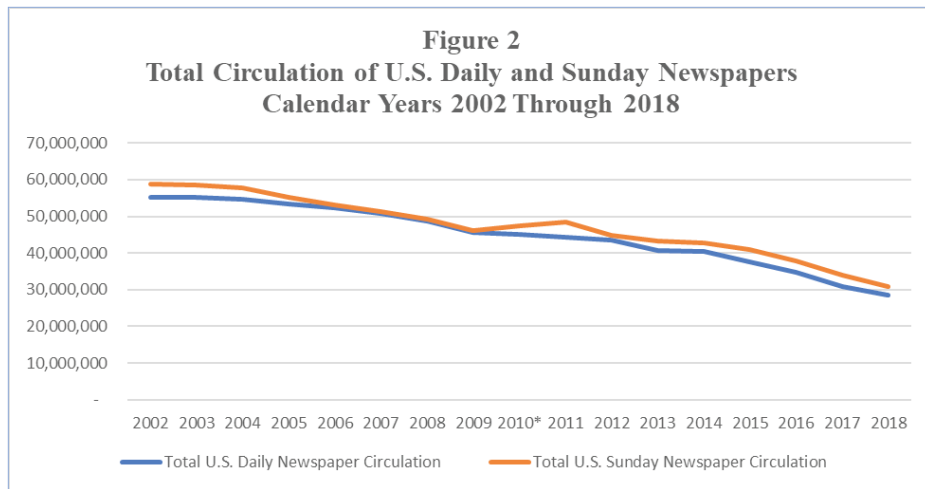
\*\*In FY 2008, the Charleston Gazette filed for qualified newspaper status for its Saturday newspaper which increased the overall circulation by 66,664. It did not file again for its Saturday newspaper until FY 2014.

As can be seen in Figure 1, for FY 2013, there is a decline in the amount of qualified newspaper subscriptions for the weekly and total circulations. This can be attributed to certain newspapers not filing for qualified status during this period.<sup>5</sup> For the circulation numbers for each weekly qualified newspaper for FY 2008 through FY 2019, see Appendix D.

Figure 2 shows the declining trend of daily and Sunday newspapers in the U.S. for 2002 through 2018. The downward trend of qualified newspaper circulation in West Virginia mirrors the decline of newspaper circulation across the nation. According to the Pew Research Center, the rate of decline of daily newspaper circulation in the U.S. from 2002 to 2018 was 48 percent; whereas the decline for daily newspaper circulation in West Virginia was 50 percent for the same period.

*The downward trend of qualified newspaper circulation in West Virginia mirrors the decline of newspaper circulation across the nation.*

<sup>5</sup>For FY 2013, the Charleston Gazette-Mail did not file for qualified newspaper status for its Sunday newspaper with the SOS. Although there were other publications that also did not file for qualified newspaper status in FY 2013, these were publications that had far less subscriptions compared to the Charleston Gazette-Mail Sunday newspaper. In FY 2012, the Charleston Gazette-Mail Sunday paper had a circulation of 57,047 reported subscriptions. In FY 2014, it had a circulation of 65,344, which can help explain the reduction in the overall circulation for FY 2013 as reported to the SOS.



Source: The Pew Research Center.

\*The Pew Research Center’s data did not include figures for 2010. In order to complete the chart, PERD took the averages from 2009 and 2011 data to provide figures for 2010.

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*Some West Virginians do not have access to a local daily newspaper publication. Thirty-six (36) West Virginia counties do not have a local daily newspaper publication.*

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Some West Virginians do not have access to a local daily newspaper publication. Thirty-six (36) West Virginia counties do not have a local daily newspaper publication. According to a report conducted by the University of North Carolina’s Hussman School of Journalism and Media, there are 171 counties in the United States that do not have a local newspaper. The report further states that nearly half of all counties in the United States (1,449) have only one newspaper, usually a weekly publication. These statistics indicate that the mandated requirement of having legal advertisements published in qualified newspapers has limitations.

When newspapers cease publishing in certain areas, it can become more difficult for the public to obtain statutorily required legal advertisements for its local area. W. Va. Code §59-3-2 requires that when there is no qualified newspaper published in the publication area<sup>6</sup>, the legal advertisement is to be published in a qualified newspaper published outside the publication area. In the event there is no qualified newspaper published outside the publication area or if no qualified newspaper will publish the legal advertisement at the required rates, the legal advertisements are to be posted in at least three public places in the publication area: the county courthouse and a municipal office building or municipal offices when the publication area is a municipality are two public places for postings. As a result, if a population lives in an area that

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*When newspapers cease publishing in certain areas, it can become more difficult for the public to obtain statutorily required legal advertisements for its local area.*

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<sup>6</sup> West Virginia Code §59-3-1(a)(2) defines “publication area” as the area or areas for which a legal advertisement is required by law or court to be made. In addition, West Virginia Code §59-3-1(a)(6) defines “general circulation” as the “...actual circulation of which throughout the publication area is large enough to give basis for a reasonable belief that the publication of a legal advertisement in the newspaper will give effective notice to the residents of the publication area.”

is outside of the publication area for a qualified newspaper, people may be limited to their access to statutorily required legal advertisements, especially if transportation to a public posting location is not convenient. Therefore, as newspaper circulation numbers continue to decline, the Legislature should consider additional appropriate approaches to notifying the public of statutorily required legal advertisements.

As a result of newspaper print circulation declining, newspapers are increasing their online presence to inform the public and to generate more revenue. As revenue from print subscriptions declines, an online presence enables newspapers to increase their revenue by charging for online subscriptions. According to a Pew Research Center 2018 survey, nearly the same number of Americans prefer to obtain local news online as from television. The survey results indicate that 37 percent of the public prefer to receive their local news online as compared to only 13 percent of Americans who indicated they prefer print newspapers (see Table 6).

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*The survey results indicate that 37 percent of the public prefer to receive their local news online as compared to only 13 percent of Americans who indicated they prefer print newspapers.*

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<b>Table 6</b> <b>Preferred Local News Source by the American Public</b> <b>According to a</b> <b>2018 Pew Research Center Survey</b>	
Source	Percent of Americans
Television	41%
Online	37%
Print Newspaper	13%
Radio	8%
<i>Source: Pew Research Center survey conducted October 15, 2018 through November 8, 2018.</i>	

As newspapers go digital, there becomes little difference from a publication standpoint between newspapers and other media websites such as news radio stations and television stations; yet, the statutes treat different media outlets disparately. For example, some newspapers do not publish a daily print edition of their newspaper. Instead the daily edition is online only.

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Table 7 shows that most of West Virginia’s qualified newspapers have a website where the public may obtain local and statewide news. The Legislative Auditor determined that of the 74 qualified newspaper publications as recorded by the SOS in FY 2019, 63 newspaper publications (or 85 percent) have a website; and of these 63 publications, 52 (or 70 percent of all qualified newspapers) provide local and/or statewide news on its website.



<b>Table 7</b> <b>West Virginia Qualified Newspapers' Website Information</b> <b>FY 2019</b>		
<b>WV Newspaper Website Information</b>	<b>Number of Qualified Newspapers</b>	<b>Average</b>
Total WV Qualified Newspapers	74	100%
WV Newspapers with a Website	63	85%
WV Newspapers with Site & News	52	70%
WV Newspapers with Site & Free Classifieds	41	55%
WV Newspapers with Site & Free Legal Ads	23	31%
WV Newspapers with Site that Require Subscription to View Content & Legal Ads	26	35%
<i>Source: PERD analysis of West Virginia Secretary of State list of qualified newspapers, and each individual newspaper website.</i>		

Table 7 also shows that 23 of the 74 newspapers that the SOS considers to be qualified, have a website that publishes legal advertisements to the public for no cost. In addition, there are 26 additional newspaper publications that have a website but require a paid subscription in order to receive full coverage and be able to view published legal advertisements. This information indicates that many qualified newspapers have websites. Therefore, they can provide their materials and public notices to a broader audience rather than just by print publication alone. Even the publications that have websites that charge for a subscription make the information provided easier to access, and possibly at a lower cost than a delivered print newspaper.

### **West Virginia Households with Internet Access Continues to Increase.**

The number of West Virginia households with internet access is increasing while qualified newspaper circulation continues to decline. Table 8 shows a breakdown of the increase in West Virginia households with internet access from FY 2013 through FY 2017. This can be largely attributed to advances in technology and the growing accessibility of the internet. As previously stated, currently more Americans receive their local news online than from printed publications. More and more of the population now has access to the internet, whether it is by fixed internet in the home or by having a mobile broadband internet access. As a result, the public can access news more easily and may not see the necessity to pay for a print subscription.

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*The Legislative Auditor determined that of the 74 qualified newspaper publications as recorded by the SOS in FY 2019, 63 newspaper publications (or 85 percent) have a website; and of these 63 publications, 52 (or 70 percent of all qualified newspapers) provide local and/or statewide news on its website.*

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*Even the publications that have websites that charge for a subscription make the information provided easier to access, and possibly at a lower cost than a delivered print newspaper.*

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**Table 8**  
**The Number and Percent of West Virginia Households**  
**With Internet Access**  
**FY 2013 Through FY 2017**

Year	WV Households	Households with Internet Access	Percent with Internet Access
2013	738,653	517,552	70%
2014	735,375	521,109	71%
2015	734,536	545,290	74%
2016	722,125	567,726	79%
2017	715,308	572,692	80%

*Source: PERD analysis of U.S. Census Bureau data.*

According to the U.S. Census Bureau, from FY 2013 to FY 2017, the number of households in West Virginia with internet access increased by 10 percent, from 517,552 households in FY 2013 to 572,692 in FY 2017. This increase occurred as the total number of households in West Virginia decreased by 3.2 percent or 23,345 households. However, although the total number of households in the state decreased, the percentage of households with internet access increased from 70 percent in FY 2013 to 80 percent in FY 2017. In comparison, at the time of the previous PERD report in 2007, the percent of households with internet access in West Virginia was 56 percent.

Additionally, according to the *Federal Communication Commission 2019 Broadband Deployment Report*, the state of West Virginia has a population of 1,815,853, of which 82 percent (or 1,486,233 people) have fixed or mobile broadband internet access. These statistics indicate that a large percentage of the state population (either by household fixed internet or by mobile broadband) currently has access to the internet.

The U.S. Census Bureau does not survey the number of households that receive a delivered qualified newspaper. As a result, the Legislative Auditor could not make an accurate comparison of the number of households that receive a newspaper to the number of households that have internet access. The SOS tracks the total circulation of each qualified newspaper in West Virginia. However, it is possible that a single household could receive multiple qualified newspapers which would distort the comparison, especially, since there are some counties that have multiple qualified newspapers available. However, one can conclude that although a large portion of the West Virginia population still subscribes to and enjoys a print newspaper publication, the most efficient and accessible way to notify the public of statutory notifications is via the internet.

*According to the U.S. Census Bureau, from FY 2013 to FY 2017, the number of households in West Virginia with internet access increased by 10 percent, from 517,552 households in FY 2013 to 572,692 in FY 2017.*

*The percentage of households with internet access increased from 70 percent in FY 2013 to 80 percent in FY 2017. In comparison, at the time of the previous PERD report in 2007, the percent of households with internet access in West Virginia was 56 percent.*

*Additionally, according to the Federal Communication Commission 2019 Broadband Deployment Report, the state of West Virginia has a population of 1,815,853, of which 82 percent (or 1,486,233 people) have fixed or mobile broadband internet access.*

## **Government Entities Could Save Substantial Funds by Utilizing the Internet to Inform the Public of Legal Advertisements.**

As in 2007, it is the opinion of the Legislative Auditor that government entities could save substantial funds by utilizing the internet to inform the public of statutory notifications. The intent of publishing legal advertisements in newspapers is to inform the public of statutorily required notices that may affect the state or a region. However, advances in technology have made this 1967 statutory requirement outdated. Given the decline in print newspaper circulation is due to the increase in digital online information, it is logical to determine that the internet is the more appropriate method for notifying the public of statutorily required information, especially, since it can be done at a lower cost.

A centralized legal advertisement repository on the internet could save government entities substantial funds by publishing statutorily required legal advertisements and notifications online. However, legislative action would be required in order to provide government entities the capability to use a centralized legal advertisement repository online.

The Legislative Auditor requested the SOS to provide an estimate regarding the costs for it to develop and maintain a centralized legal advertisement repository on the internet for government entities. The SOS provided two cost estimates: a low-end estimate and a high-end estimate. The SOS elaborated on its estimates by stating:

*“To arrive at these estimates, we considered some basic features, but in the experience of the WVSOS IT staff and the vendor that holds the state’s online contract, the features quoted below are those generally required to be included. These would be things like granular user access management, audit logging, reporting, etc. In our discussions there were a few questions that arose regarding how the notices were to be formatted (text input, document uploads, etc) and what the public alerts were based upon, which expands the range of pricing.”*

Table 9 shows the details of the SOS’s estimates. The estimates consist of one estimate being developed and maintained by in-house SOS staff, and the other being developed and maintained by the vendor that holds the State’s online contract. The costs for the low-end estimate, that would be developed and maintained by in-house SOS staff, would amount to a one-time initial cost of between \$6,000 and \$20,000. This low-end estimate would also consist of an annual reoccurring cost of \$10 per year for domain costs. The costs of a high-end estimate, that would

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*As in 2007, it is the opinion of the Legislative Auditor that government entities could save substantial funds by utilizing the internet to inform the public of statutory notifications. The intent of publishing legal advertisements in newspapers is to inform the public of statutorily required notices that may affect the state or a region.*

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*The costs for the low-end estimate, that would be developed and maintained by in-house SOS staff, would amount to a one-time initial cost of between \$6,000 and \$20,000.*

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be developed and maintained by the vendor that holds the State’s online contract, would amount to a one-time initial cost of between \$80,000 and \$123,000; with annual reoccurring costs for annual maintenance and domain costs amounting to between \$25,020 and \$31,020 per year.

<b>Table 9</b>		
<b>Secretary of State’s Low-End and High-End Estimates for an Online Repository for Legal Advertisements</b>		
	<b>Low-End Estimate</b>	<b>High-End Estimate</b>
<b>Component Costs:</b>	<b>WVSOS In-House</b>	<b>State Vendor</b>
-Development	\$3,000 - \$12,000	\$80,000 - \$123,000
-Server Costs*	\$3,000 - \$8,000	-
-Future Enhancement Consideration**	\$12,500	-
<b>Development Total</b>	<b>\$6,000 - \$20,000</b>	<b>\$102,500 - \$143,500</b>
<b>Reoccurring Costs:</b>		
-Domain Costs	\$10 Per Year	\$20 Per Year
-Annual Maintenance	-	\$25,000 - \$31,000
<b>Annual Reoccurring Cost Total</b>	<b>\$10 Per Year</b>	<b>\$25,020 - \$31,020</b>
<i>Source: PERD analysis of West Virginia Secretary of State’s data.                      *If migrated to the Cloud, costs could be transferred to operational expenditures, anticipated to be an appreciated cost savings over the lifespan of the on-premises solution – storage, virtual machine(s).                      **Cost is dependent on if an Optical Character Recognition (OCR) enhancement were to be added in order to search uploaded documents to the in-house solution, the Secretary of State will need to add an assumed 400 hours equal to \$12,500 in licensing or software purchase for integration.</i>		

Future enhancement consideration costs would be applicable in the SOS’s in-house option only if an Optical Character Recognition (OCR) enhancement were to be added to the system in order to search uploaded documents. However, the SOS indicated that depending on how notices were to be formatted, and basis of the public alerts, the effort and costs could increase even on the high estimates.

The high-end estimated cost for the online legal advertisement repository is not insignificant. However, given that over \$4.6 million was spent in FY 2019 by all government entities combined for publishing legal advertisements, the development and maintenance costs for the online repository would be modest in comparison. In addition, if the online repository was implemented by the SOS’s own staff, the costs would be substantially lower. Potentially, the cost savings could be in the 10’s of millions of dollars over a decade.

The cost to the government user has not been stated by the SOS. However, due to the relatively low implementation and maintenance costs of the project, the Legislative Auditor estimates that the usage cost

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*The costs of a high-end estimate, that would be developed and maintained by the vendor that holds the State’s online contract, would amount to a one-time initial cost of between \$80,000 and \$123,000; with annual reoccurring costs for annual maintenance and domain costs amounting to between \$25,020 and \$31,020 per year.*

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to any government entity would be much lower than the cost associated with printing legal advertisements in newspapers.

While providing legal advertisements on government entities' websites may appear to be an attractive option, some problems may exist. For example, government offices such as county governments, county boards of education, and municipality offices may not be equipped with staff and resources to maintain and publish legal advertisements on its own website. Therefore, each individual government entity should have the option to decide for itself if it wanted to utilize a centralized online repository, its own website, or continue publishing in a qualified print newspaper. However, since state agencies are responsible for notifying a larger population of the state of statutory notifications, using a centralized online legal advertisement repository would be more appropriate and cost-effective.

It is also important to note that the availability of legal advertisements on the internet would ensure statewide, and even nationwide, accessibility for these notifications. This would be especially relative for agencies such as the Division of Highways that must publish notifications regionally, or for out-of-state contractors looking to bid on in-state projects. Finally, it must be noted that publishing legal advertisements on the internet has the advantage of being available indefinitely whereas print newspapers are only available for shorter periods of time, if not days.

Ultimately, utilizing the internet to publish legal advertisements may affect the newspaper industry. However, the State has a responsibility to inform the public of statutory notifications in the most cost-effective and appropriate manner. Given that the internet is now the most appropriate and effective method to access the public, government entities should begin utilizing the internet in order to reduce costs and to better inform the public. **Therefore, the Legislative Auditor recommends that the Legislature consider amending statute to require state agencies and public institutions of higher education to post legal advertisements on a state legal advertisement repository run by the Secretary of State's Office. The Legislative Auditor also recommends that the Legislature consider amending statutes to allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements.**

## Conclusion

It is the Legislative Auditor's opinion that the use of electronic resources could be a way for the state, county, municipal governments, and other governmental entities to save money. In 1967, it made sense to publish legal advertisements in newspapers because it was the best way to inform the public of governmental business. However, with the

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advancement of the internet and the decline of the newspaper industry, newspapers are no longer the best way to provide government transparency to the public. Utilizing declining print newspapers as the only mandatory source to inform the public of statutory notifications, while another method exists that can reach a higher percentage of the state population for cost savings that could potentially be in the millions of dollars is unreasonable. The State has a fiduciary responsibility to notify the public of statutory notifications in a cost effective and appropriate manner. Currently, West Virginia Code requires a mandated subsidization of the newspaper industry in West Virginia. However, the Legislative Auditor is not recommending mandated usage of a legal advertisement online repository for every government entity. Rather, **that the Legislature consider amending statute to require state agencies and public institutions of higher education to post legal advertisements on an online repository run by the Secretary of State's Office, and allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements. However, if the Legislature finds that local newspapers are a public good that should be actively supported, the Legislative Auditor recommends the Legislature consider methods other than the required placement of legal advertisements by state agencies, county governments, and municipalities in newspapers in order to financially support the newspapers.**

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*The Legislative Auditor is not recommending mandated usage of a legal advertisement online repository for every government entity. Rather, that the Legislature consider amending statute to require state agencies and public institutions of higher education to post legal advertisements on an online repository run by the Secretary of State's Office, and allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements.*

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## Recommendations

1. *The Legislative Auditor recommends that the Legislature consider amending statute to require state agencies and public institutions of higher education to post legal advertisements on an online state repository run by the Secretary of State's Office.*
2. *The Legislative Auditor also recommends that the Legislature consider amending statutes to allow counties, county boards of education, and municipalities to have the option to utilize the internet to publish statutorily required legal advertisements.*
3. *The Legislative Auditor recommends that if the Legislature finds that local newspapers are a public good that should be actively supported, the Legislature should consider methods other than the required placement of legal advertisements by state agencies, public institutions of higher education, county governments, county boards of education, and municipalities in newspapers in order to financially support the newspapers.*

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## Appendix A

# Objectives, Scope and Methodology

The Performance Evaluation and Research Division (PERD) within the Office of the Legislative Auditor conducted this follow-up review of its September 2007 report on the study of statutory legal advertisements pursuant to W.Va. Code §4-2-5.

### Objectives

One objective of this study was to follow-up on PERD's September 2007 report related to statutorily required legal advertisements and the costs incurred by state agencies, county government agencies, county boards of education, public institutions of higher education, and the 10 most populous municipalities. An additional objective included determining the estimated costs for developing and maintaining a government website with a centralized repository where legal advertisements for all governmental entities could be placed.

### Scope

The scope of this report included the FY 2019 legal advertisement expenditures by state agencies, county government agencies, county boards of education, public institutions of higher education, and the 10 most populous municipalities. In addition, PERD reviewed qualified newspaper circulation numbers in West Virginia for FY 2002 through FY 2019, and the number of West Virginia households with internet access for FY 2013 through FY 2017.

### Methodology

The Legislative Auditor surveyed 22 state agencies including subdivisions, all 55 county governments, subdivisions, and county boards of education, all 19 public institutions of higher education, and the 10 most populous municipalities to determine their FY 2019 costs for statutorily required legal advertisements. The Legislative Auditor did not audit the legal advertisement expenditure amounts provided by the survey respondents. Legislative Services' legal counsel provided assistance by compiling a list of statutory requirements for legal advertisements. Information provided by the Secretary of State's Office included qualified newspaper circulation figures for FY 2002 through FY 2019, and cost estimates to develop and maintain an online centralized repository for use by governmental entities to place legal advertisements. The number of West Virginia households with internet access for FY 2013 through FY 2017 was obtained from the U.S. Census Bureau.





## Appendix B

### State Agency Legal Advertisement Expenditures for FY 2019

<b>State Agency Legal Advertisement Expenditures for FY 2019</b>	
<b>State Agency</b>	<b>Total for Legal Ads for FY 2019</b>
<b>Legislative Services</b>	\$691.08
Office of the Governor	\$0.00
<b>Agriculture, Department of</b>	\$0.00
Office of the Attorney General	\$0.00
Office of the Secretary of State	\$30,952.19
Office of the State Treasurer	\$219,826.27
Office of the State Auditor	\$816,044.71
<b>Administration, Department of</b>	
Purchasing Division	\$2,338.73
Real Estate Division	\$0.00
<b>Arts, Culture and History, Department of</b>	\$95.91
<b>Commerce, Department of</b>	
Board of Coal Mine Health and Safety	\$0.00
Division of Forestry	\$1,239.21
Division of Labor	\$0.00
Division of Natural Resources	\$7,439.19
Division of Rehabilitation Services	\$0.00
Office of Energy	\$0.00
West Virginia Development Office	\$0.00
Workforce West Virginia	\$33,479.53
<b>Environmental Protection, Department of</b>	\$67,265.00
<b>Health and Human Resources, Department of</b>	
Bureau for Medical Services	\$2,740.32
Bureau for Behavioral Health	\$0.00
Office of Health Facilities	\$0.00
Office of General Counsel	\$0.00
Office of Communications	\$0.00
Bureau for Public Health	\$0.00
Bureau for Child Support Enforcement	\$0.00
Bureau for Children and Families	\$153,482.92
WV Health Care Authority	\$746.99
Office of Management Informations Systems	\$0.00
Office of the Inspector General	\$0.00
Office of Drug Control Policy	\$0.00
<b>Revenue, Department of</b>	\$0.00
Alcohol Beverage Control	\$0.00
Athletic Commission	\$0.00
Budget	\$0.00
Division Financial Institutions	\$0.00
Insurance Commission	\$2,496.89

Lottery Commission	\$0.00
Municipal Bond Commission	\$0.00
Office of Tax Appeals	\$0.00
Racing Commission	\$0.00
Tax Commission	\$719.64
<b>Senior Services, Bureau of</b>	\$0.00
<b>Transportation, Department of</b>	
WV Aeronautics Commission	\$0.00
Division of Motor Vehicles	\$0.00
Public Transit Authority	\$0.00
Office of Administrative Hearings	\$0.00
Parkways Authority	\$17,166.77
State Rail Authority	\$0.00
Division of Highways Auditing Division	\$0.00
Division of Highways Budget Division	\$0.00
Division of Highways Contract Administration Division	\$79,529.76
Division of Highways Engineering Division	\$9,733.00
Division of Highways Communication Division	\$0.00
Division of Highways EEO Division	\$0.00
Division of Highways Equipment Division	\$0.00
Division of Highways Finance Division	\$0.00
Division of Highways Human Resources Division	\$0.00
Division of Highways Information Services Division	\$0.00
Division of Highways Legal Division	\$1,802.46
Division of Highways Maintenance Division	\$0.00
Division of Highways Materials Division	\$452.02
Division of Highways Office Services Division	\$1,133.30
Division of Highways Planning Division	\$3,584.13
Division of Highways Programming Division	\$0.00
Division of Highways Right of Way Division	\$1,720.94
Division of Highways Traffic Engineering Division	\$889.35
Division of Highways District 1	\$1,510.02
Division of Highways District 2	\$3,598.26
Division of Highways District 3	\$3,620.99
Division of Highways District 4	\$178.96
Division of Highways District 5	\$6,646.65
Division of Highways District 6	\$2,317.55
Division of Highways District 7	\$4,394.01
Division of Highways District 8	\$3,288.25
Division of Highways District 9	\$1,409.20
Division of Highways District 10	\$2,049.82
<b>Veterans Assistance, Department of</b>	\$0.00
<b>Higher Education</b>	
Higher Education Policy Commission	\$0.00

Council for Community and Technical College Education	\$0.00
<b>Public Service Commission</b>	\$0.00
<b>Supreme Court of Appeals</b>	\$113,174.91
<b>Total</b>	<b>\$1,597,758.93</b>



## Appendix C

### Legal Advertisement Citations in West Virginia Code for FY 2019

<b>Legal Advertisement Citations in West Virginia Code for FY 2019</b>			
	<b>Citation</b>	<b>Title</b>	<b>Type</b>
1	§1-3-1	Notice of Intent to create new county	Class II
2	§1-3-14	Notice and survey in case of changing county line	Class II
3	§3-1-7	Precinct changes; procedure; precinct record	Class II-0
4	§3-3-2a	Early voting areas; prohibition against display of campaign material	Class II-0
5	§3-4A-3	Procedure for adopting electronic voting systems	Class II-0
6	§3-4A-4	Procedure for terminating use of electronic voting systems	Class II-0
7	§3-4A-13	Inspection of ballots, electronic poll books and vote recording devices; duties of county commission, ballot commissioners and election commissioners; records relating to ballots and vote-recording devices; receipt of election materials by ballot commissioners	Class I-0
8	§3-4A-26	Test of automatic tabulating equipment	Class I-0
9	§3-5-10	Publication of sample ballots and lists of candidates	Class I-0
10	§3-5-21	Party conventions to nominate presidential electors; candidates; organizations; duties	Class II-0
11	§3-6-3	Publication of sample ballots and lists of candidates	Class I-0
12	§3-10-1	Elections to fill vacancies	Class I-0
13	§3-11-3	Publication of proposed amendment by Secretary of State	Class I
14	§3-11-6	Proclamation of result of election by Secretary of State; effective date of amendment ratified	Class I-0
15	§4-7-7	Contracts for construction of state legislative buildings, etc.; to be secured by bond; competitive bids required for contracts exceeding \$2000; procedure.	Class II
16	§5-1-16a	Expungement of criminal record upon full and unconditional pardon.	Class I
17	§5-1-26	Fuel emergency; power of the Governor to declare an emergency; duties of the Governor with respect to such emergency; assistance of other state agencies and local law-enforcement agencies; injunctive relief; penatlites; jurisdiction.	Class I
18	§5-6-7	Contracts with commission to be secured by bond; competitive bids required for certain contracts	Class II
19	§5A-3-45	Disposition of surplus state property; semiannual report; application of proceeds from sale	Class II
20	§5A-11-5	Public Land Corporation to hold public hearing before sale, lease, exchange or transfer of land or minerals	Class II
21	§5A-11-6	Competitive bidding and notice requirements before the development or extraction of minerals on certain lands; related standards	Class II
22	§5B-2I-4	Powers and duties of the West Virginia Tourism Office	Class II
23	§5D-1-5a	Publication of notice of certain meetings	Class II
24	§5D-1-5B	Public hearing before final consideration of bond issue or exercise of right of eminent domain	Class II
25	§5G-1-3	Contracts for architectural and engineer services; selection process where total project costs are estimated \$250,000+	Class II

26	§6-3-1	Appointment of deputies and local conservators of the peace; powers and duties; compensaton; vacating appointment of deputy sheriff; removal of conservators	Class II
27	§6-9A-6	Enforcement by injunctions; actions in violation of article voidable; voidability of bond issues	Class I
28	§7-1-1a	Requirements for reforming, altering or modifying a county commission; alternative forms of county govt.	Class II
29	§7-1-3a	Construction of waterworks, sewers and sewage disposal plants; improvement of streets, alleys and sidewalks; assessment of cost of sanitary sewers, improved streets and maintenance of roads not in the state road system.	Class I
30	§7-1-3h	Authority and procedure for closing unused roads, streets and travel ways; notice and hearing; circuit court review	Class I
31	§7-1-3nn	Election on ordinance for program for transfer of development rights; form of ballots or ballot labels; procedure	Class II-0
32	§7-1-3ss	County option election on forbidding nonintoxicating beer, wine, or alcoholic liquors to be sold, given, or dispensed after 10:00 am Sundays	Class II-0
33	§7-2-4	Change of name of unincorporated town or of district; petition; notice.	Class I
34	§7-3-3	Sale of county or district property	Class II
35	§7-5-16	Preparation, publication, and disposition of financial statements	Class I-0
36	§7-8-2a	Feeding and care of prisoners; purchase of food and supplies; contract for feeding of prisoners; records; inspectin by health officers; payment of costs	Class II
37	§7-8-7	Jail physician; clothing for indigent prisoners	Class I
38	§7-9-10	Accounts and reports	Class I
39	§7-11-2a(1)	Authority to lease peroperty for educational instruction in fire prevention and protection	Class II
40	§7-11-2a(2)	Authority to lease peroperty for educational instruction in fire prevention and protection	Class I
41	§7-11B-7	Creation of a development or redevelopment or district	Class II
42	§7-11B-8	Project plan - Approval	Class II
43	§7-11B-9	Project plan - Amendment	Class II
44	§7-12-7a	Findings respecting necessity for exercise of right of eminent domain; authorization to exercise right of eminent domain	Class II
45	§7-12-12	Contribution by county commissions, municipalities and others; funds and accounts; reports; audit and examination of books, records and accounts	Class I
46	§7-12A-3	Petition to establish maintenance association	Class I
47	§7-14B-21	County commission of counties with a population of less than 25,000 may place correctional officers under civil service; protest and election with respect thereto	Class II-0
48	§7-15-16	Competitive bids; publication of solicitation for sealed bids	Class II
49	§7-17-12	County fire service fees; peition; election; dedication; and increase	Class II
50	§7-17-17	Contributions by county commissions, municipalities and others; funds and accounts; reports; audit examination of books, records and accounts; and penalties	Class I
51	§7-20-7	Establishment of impact fees; levies may be used to fund existing capital improvements	Class II

52	§7-20-12	Countywide service fees	Class II
53	§7-22-6	Notice; hearing	Class I-0
54	§7-22-15	Abolishment and dissolution of district; notice; hearing	Class I-0
55	§7-25-6	Notice to property owners before creation or expansion of resort area district; form of notice; affidavit of publication	Class II
56	§7-25-11	Election procedure for initial members of resort area board; subsequent elections; elections of procedure to fill board vacancies	Class II
57	§7-25-12	Resort area districts authorized to levy resort service fee; procedure for implementation and cessation of resort service fee; abstract and notice of implementing resolution; rate of resort service fee; permissible uses; limitations of imposition	Class II
58	§7-25-15	Authorization to implement assessments for projects; procedures for implementing assessments; by-laws to provide additional procedures for implementation of assessments; notice to property owners before implementation of assessments for projects; voting on assessments; affidavit of publication.	Class II
59	§7-25-17	Notice to property owners of assessments; correcting and laying assessments; report on project completion.	Class II
60	§7-27-5	Public hearing and notice requirements.	Class II
61	§7A-4-2	Public hearings	Class II
62	§7A-5-2	Notice for election	Class II
63	§7A-6-2	Notice for election	Class II
64	§7A-7-2	Notice for election	Class II
65	§7A-8-1	Charter amendment	Class II
66	§8-1-5a	Municipal Home Rule Program	Class II
67	§8-2-3	Hearing on petition; notice; dismissal	Class II
68	§8-2-5	Special election — Voting precincts; time for election; supplies; commissioners and clerks; notice.	Class II-0
69	§8-3-4	Same - Hearing and notice	Class I
70	§8-3-6	Same — Special election; time for election; notice; voting precincts; supplies; officials; certification; canvass; declaration of results; recount.	Class II-0
71	§8-4-2	Charter board; number of members; qualifications of members; nominations; notice; ballots and ballot labels; election of a charter board; effect of vote on question as to charter board	Class II-0
72	§8-4-8	Same (Revising or amending a charter) - An alternate plan	Class II-0
73	§8-5-3	When first election of officers of town or village held; notice	Class II-0
74	§8-6-2	Petition for annexation	Class II-0
75	§8-6-4a	Annexation without election for municipalities in counties that have an adopted countywide zoning ordinance which includes urban growth boundaries.	Class I
76	§8-7-2	Procedure to decrease corporate limits	Class II-0
77	§8-11-4	Ordinance procedures	Class I-0
78	§8-12-5	General powers of every municipality and the governing body thereof	Class I
79	§8-12-16	Ordinances regulating the repair, alteration, improvement, closing, demolition, etc., of structures, dwellings or buildings that are unsafe, unsanitary, dangerous or detrimental to the public safety or welfare; procedures.	Class II

80	§8-12-17	Sale or lease of municipal public utility	Class I
81	§8-12-18	Sale, lease, or disposition of other municipal property	Class I
82	§8-12-18	Sale, lease, or disposition of other municipal property	Class II
83	§8-13-13	Special charges for municipal services	Class II
84	§8-13-23	Preparation, publication, and disposition of financial statements	Class I
85	§8-13-24	Notice of delinquency	Class II-0
86	§8-13-26	Publication and posting of delinquent tax list; costs	Class I-0
87	§8-13A-8	Notice; hearing	Class I-0
88	§8-13A-15	Abolishment and dissolution of district; notice; hearing	Class I-0
89	§8-16-7	Ordinance for construction, etc., of works	Class II
90	§8-16-18	Rates, fees, or charges for services rendered by works	Class I-0
91	§8-17-8	Procedure when total cost to be apportioned among all abutters	Class II
92	§8-17-11	Apportionment among all abutters; limit on total cost chargeable to abutters; engineer's report; notice; hearings; correcting and laying assessments.	Class II
93	§8-18-3	Notice to abutting owners before authorizing improvements; form of notice; affidavit of publication.	Class II
94	§8-18-5	Report on completion; notice to abutting owners of assessments; hearings; correcting and laying assessments	Class II
95	§8-19-1	Acquisition and operation of municipal and county waterworks and electric power systems; construction of improvements to municipal and county electric power systems; extension beyond corporate limits; definitions.	Class I
96	§8-19-5	Publication of abstract of ordinance or order and notice; hearing.	Class II
97	§8-20-4	Publication of abstract of ordinance or order and notice; hearing.	Class II
98	§8-25-4	Delineation of regions and recommendations of Governor thereon; publication of statement fixing regional boundaries; public hearings; certification of regional boundaries; change in boundaries.	Class I-0
99	§8-25-7	Contracts for services, materials, etc.; publication of notice for bids	Class I-0
100	§8-26-3	Membership and organization of commission; reports and audits	Class I
101	§8-27-10	Powers and duties of authorities generally	Class II
102	§8-27-12	Study and plan of operation; notice and hearing; adoption of transportation plan	Class II
103	§8-27-13	Resolution authorizing acquisition or construction of urban mass transport system	Class II
104	§8-27-23	Competitive bids; publication of solicitation for sealed bids	Class I
105	§8-28-7	State and political subdivisions empowered and authorized to lease airports and grounds to others	Class II
106	§8-29-16	Contributions to authorities; funds and accounts of authorities	Class II-0
107	§8-29A-4	Funds; accounting; reporting	Class II-0
108	§8-29A-10	Procedure for dissolution of authority	Class I-0
109	§8-31-1	Conditions to granting of franchise by governing body or county court [county commission]; term of franchise; Public Service Commission power and authority not affected.	Class II
110	§8-32-8	Membership and participation in area development corporations	Class II-0
111	§8-33-8	Contributions to commissions; funds and accounts of commissions; reports; audits	Class II-0
112	§8-38-6	Notice; hearing	Class I-0



113	§8-38-15	Abolishment and dissolution of district; notice; hearing	Class I-0
114	§8A-3-6	Notice and public participation requirement for a comprehensive plan	Class I
115	§8A-3-7	Submission of comprehensive plan	Class I
116	§8A-4-3	Enactment of subdivision and land development ordinance	Class I
117	§8A-7-5	Enactment of zoning ordinance	Class II
118	§8A-7-7	Election on a zoning ordinance	Class II-0
119	§8A-7-8	Amendments to the zoning ordinance by the governing body	Class II-0
120	§8A-7-8a	Requirements for adopting an amendment to the zoning ordinance	Class II-0
121	§8A-7-9	Amendments to the zoning ordinance by petition	Class I
122	§8A-7-13	Process to replace nontraditional zoning ordinance	Class II-0
123	§8A-8-11	Notice and hearing of appeal	Class I
124	§8A-9-2	Notice to adverse parties	Class III-0
125	§10-2A-6	Resolution for construction, etc., of establishment; notice and hearing	Class II
126	§11-1A-16	Administrative review of appraisal	Class I-0
127	§11-1B-5	Preparation of property list by Tax Commissioner; publication by sheriff	Class I-0
128	§11-3-2a	Notice of increased assessment required for real property; exceptions to notice	Class II-0
129	§11-3-15c	Petition for assessor review of improper valuation of real property	Class II-0
130	§11-3-24	Review and equalization by county commission	Class I
131	§11-3-24	Review and equalization by county commission	Class II
132	§11-3-24	Review and equalization by county commission	Class II-0
133	§11-8-6e	Effect of regular levy rate when appraisal results in tax increase; public hearings	Class II-0
134	§11-8-6g	Effect of special levy rates when appraisal results in tax revenue increase; public hearings	Class II-0
135	§11-8-17	Special levy elections; notices; election officers; conduct of election; supplies; canvass of returns; form of ballot	Class II-0
136	§11-8-32	Publication	Class II-0
137	§11-10-13c	Sale of seized property	Class II
138	§11-19-7a	Seizure and sale of soft drink syrups by commissioner; forfeiture; collection of tax	Class I
139	§11-22-2	Rate of tax; when and by whom payable; additional county tax	Class I
140	§11A-1-8	Notice of time and place for payment; mailing of tax tickets	Class II
141	§11A-2-10a	Notice of delinquency	Class II-0
142	§11A-2-13	Publication and posting of delinquent tax lists	Class I-0
143	§11A-3-2	Second publication of list of delinquent real estate; notice	Class III-0
144	§11A-3-2	Second publication of list of delinquent real estate; notice.	Class III-0
145	§11A-3-3	Waiver of notice by person claiming lien	Class I
146	§11A-3-13	Publication by sheriff of sales list	Class II-0
147	§11A-3-22	Service of notice	Class III-0
148	§11A-3-46	Publication of notice of auction	Class III-0
149	§11A-3-55	Service of notice	Class III-0
150	§13-1-8	Publication of notice of election	Class II-0
151	§13-1-21	Advertisement and sale of bonds	Class II
152	§13-1-25	Copy of proceedings to be transmitted to Attorney General for approval or disapproval; publication of approval or disapproval.	Class II
153	§13-3-13	Substitute paying agents	Class II

154	§14-1-8	Sale of real estate under execution - Notice; place	Class III-0
155	§14-1-28	Same (Debts due State from sheriffs or other officers) - Notice of sale	Class III-0
156	§15-1B-9	Same (Enlisted personnel) - Discharge	Class I
157	§15A-3-14a	Creation of special fund for surplus property revenue; disposal of surplus property	Class II
158	§15-3-14	Exempt from Purchasing Division; purchasing procedures	Class II
159	§16-5B-16	Public notice regarding the closure of a licensed health care facility or hospital	Class III
160	§16-12-1	Incorporation as sanitary district for sewage disposal; petition; notice and hearing; election; form of ballot; expenses of election	Class II-0
161	§16-12-2	Incorporation as sanitary district for sewage disposal; petition; notice and hearing; election; form of ballot; expenses of election	Class II
162	§16-12-4	Publication and effective date of ordinance imposing penalty or making appropriation; certificate of clerk as proof of ordinances, order and resolutions; evidence of passage and legal publication	Class II
163	§16-12-9	Borrowing money; procedure for issuance of revenue or tax obligation bonds; debt limitation	Class II-0
164	§16-12-11	Letting contracts; manner and cost of building additions or extensions; contracts to respond to emergency situations	Class II
165	§16-13-6	Publication and hearing upon ordinance	Class II
166	§16-13-16	Rates for service; deposit required for new customers; forfeiture of deposit; reconnecting deposit; tenant's deposit; change or readjustment; hearing; lien and recovery; discontinuance of services	Class II-0
167	§16-13-18a	Publication of financial statement	Class I
168	§16-13-23a	Additional powers of municipality to cease pollution	Class II-0
169	§16-13A-2	Creation of districts by county commission; enlarging, reducing, merging, or dissolving district; consolidation; agreements, etc.; infringing upon powers of county commission; filing list of members and districts with the Secretary of State.	Class I
170	§16-13A-7	Acquisition and operation of district properties; contracts to respond to emergency situations	Class I
171	§16-13A-9	Rules; service rates and charges; discontinuance of service; required water and sewer connections; lien for delinquent fees.	Class I
172	§16-13A-18a	Sale, lease or rental of water, sewer, stormwater or gas system by district; distributions of proceeds	Class I
173	§16-13B-5	Notice to property owners before creation as assessment district and construction of project; form of notice; affidavit of publication	Class II-0
174	§16-13B-6	Petition of property owners for creation of assessment district	Class II-0
175	§16-13B-9	Provisions for construction of project	Class II-0
176	§16-13B-10	Notice to property owners of assessments; hearing, correcting and laying assessments; report of project completion; permits	Class II-0
177	§16-13E-5	Notice to property owners before creation or expansion of community enhancement district and construction or acquisition of project; form of notice; affidavit of publication.	Class II-0
178	§16-13E-8	Notice to property owners of assessments; correcting and laying assessments; report on project completion; credits.	Class II-0
179	§16-18-6	Preparation and approval of redevelopment plans	Class II

180	§16-8-7	Disposal of property in redevelopment project	Class II
181	§16-18-10	Bonds	Class I
182	§16-29A-5	Powers of authority	Class II
183	§17-2A-19a	Transfer of airspace; procedures to be followed	Class I-0
184	§17-4-19	Contracts for construction, materials, etc.; work by prison labor, etc.; bidding procedure.	Class II
185	§17-10-8	Contracts - Advertisement for letting	Class II
186	§17-10-9	Same — Opening bids; award or rejection of bids; contractor's bond; publication of information as to bids; reserving portion of payment for work; penalties for unlawful conduct as to bids.	Class II
187	§17-16A-13a	Public notice and meeting requirements	Class II
188	§17-16A-13	Toll, rents, fees, charges and revenues; competitive bidding on contracts	Class I
189	§17-24A-4	Abandoned or junked motor vehicles; notification to motor vehicle owner and lienholder; charges and fees; exceptions.	Class I
190	§17-27-16	Qualifying a transportation facility as a public improvement	Class II
191	§17-28-5	Powers conferred on counties; special charges for transportation facilities and projects; election on ordinance for user fees; form of ballots; procedure.	Class II-0
192	§17-28-9	Qualifying a transportation facility as a public improvement	Class II
193	§17A-8-12	Recovery of special mobile equipment; chain of custody; sale of unclaimed special mobile equipment; penalties	Class I
194	§17C-17A-12	Designating special coal resource transportation roads, highways and bridges	Class I
195	§18-2-13g	Procedure for contracting with insurers; licensing of insurer; exemption of certain insurers from premium and annuity taxes	Class I
196	§18-5-4	Meetings; employment and assignment of teachers; budget hearing; compensation of members; affiliation with state and national associations	Class I
197	§18-5-13a	School closing or consolidation	Class III
198	§18-5-45	School calendar	Class II
199	§18-9-2	Elections under this chapter; procedure	Class II-0
200	§18-9-3a	Preparation, publication and disposition of financial statements by county boards of education	Class I-0
201	§18B-12-10	Assignment or transfer of property to certain corporations	Class II
202	§18B-19-10	Authorization to sell and transfer property; use of proceeds	Class II
203	§18B-19-14	Authorization for sale lease-back	Class II
204	§19-4-9	General and special meetings	Class I
205	§19-9-15	Establishment of general quarantine	Class I
206	§19-12A-5	Powers, duties, and responsibilities of commissioner	Class II-0
207	§19-17-2	River and streams as lawful fences; establishment or discontinuance	Class II
208	§19-18-2	Unclaimed livestock; containment by sheriff; sheriff's sale at public auction	Class I
209	§19-21-4	Appointment of engineer; duties and compensation thereof; notice of application to form drainage district	Class II
210	§19-21-6	First meeting of owners; election of board of supervisors	Class II
211	§19-21-13	Assessment of benefits and damages; extension of district to include other lands; report of appraisers; compensation	Class II-0
212	§19-21-14	Publication of appraisers' report	Class II-0

213	§19-21-21	When taxes payable; suit by supervisors to collect delinquent taxes; suit by bondholder	Class III-0
214	§19-23-8a	Applications for Sunday racing; local option election procedures; protest procedures against approval	Class II
215	§19-23-8a	Applications for Sunday racing; local option election procedures; protest procedures against approval	Class II-0
216	§19-23-8b	Horse or dog racing after six o'clock postmeridian on Sundays; application therefor; tentative approval; publication of notice; petition for local option election; local option election procedure; effect of such election.	Class II
217	§19-23-8c	Local option election procedures; form of ballot or ballot labels; effect of such election	Class II-0
218	§19-23-13	Disposition of funds for payment of outstanding and unredeemed pari-mutuel tickets; publication of notice; irredeemable tickets; payment of past obligations.	Class I
219	§19-23-19	Tentative approval of application for construction permit; denial of application; publications of notice	Class II
220	§19-23-21	Local option election procedures; form of ballot or ballot labels	Class II-0
221	§20-1-7	Additional powers, duties and services of director	Class II
222	§20-2-5	Unlawful methods of hunting and fishing and other unlawful acts; Sunday hunting	Class II-0
223	§20-2-16	Dogs chasing deer	Class I
224	§20-3-19	Protection of forest against destructive insects and diseases; purpose and intent of section	Class II
225	§20-5-15	Authority to enter into certain operational contracts; terms and conditions; necessity for legislative notice and public hearing before certain facilities are placed under contract	Class II
226	§20-5-22	Powers and duties of the director relating to oil and gas access roads on state forests	Class I-0
227	§20-5K-3	Procedure for public participation	Class II
228	§20-14-10	Purchasing and bidding procedures	Class II
229	§20-17-9	Purchasing and bidding procedures; criminal penalties	Class II
230	§22-4-5	Quarry permit requirements	Class III
231	§22-4-6	Application review, public notice and comment, and permit approval	Class III
232	§22-4-9	Permit renewals and revisions	Class I
233	§22-5-11a	Activities authorized in advance of permit issuance	Class I
234	§22-6-9	Notice to property owners	Class II
235	§22-6A-10	Notice to property owners	Class II
236	§22-6B-5	Notification of claim	Class II
237	§22-7-5	Notification of claim	Class II
238	§22-8-7	Same (Accepted orders and certificates for oil) - Further provisions	Class II
239	§22-9-2	Filing of maps and data by persons operating or proposing to operate gas storage reservoirs	Class II
240	§22-11-22a	Civil penalties and injunctive relief; civil administrative penalties for coal mining operations	Class II
241	§22-11A-5	Permit application requirements and contents; permit application fees	Class I
242	§22-13-9	Procedure for issuance or denial of permit; transfer of permits	Class III-0

243	§22-14-7	Granting or rejecting applications for certificate of approval by division; publication of notice of application; hearing upon application	Class I
244	§22-15-13	Pre-siting notice	Class II
245	§22-18-10	Public participation in permit process	Class I-0
246	§22-21-9	Notice to owners	Class II
247	§22-21-16	Notice to owners	Class II
248	§22C-1-6	Powers, duties, and responsibilities of authority generally	Class II
249	§22C-3-6	Powers, duties and responsibilities of board generally	Class II
250	§22C-4A-3	Referendum for approval of conversion of a Class B facility to a Class A facility	Class II
251	§22C-4A-4	Approval of increase in maximum allowable monthly tonnage of Class A facility	Class II
252	§22C-6-3	Procedure for public participation	Class II
253	§22C-8-6	Rules; notice requirements	Class II
254	§22C-8-9	Application to establish a drilling unit; contents; notice	Class II
255	§22C-9-5	Rules; notice requirements	Class II
256	§24-2-1k	Natural gas infrastructure expansion, development, improvement and job creation; findings; expedited process; requirements; rulemaking	Class I
257	§24-2-1l	Modernization and improvement of coal-fired boilers at electric power plants; findings; expedited process; requirements; rulemaking	Class I
258	§24-2-1n	West Virginia Business Ready Sites Program	Class I
259	§24-2-4a	Procedure for changing rates after July 1, 1981	Class II
260	§24-2-4	Procedure for changing rates before July 1, 1982	Class II
261	§24-2-4e	Environmental control bonds	Class I
262	§24-2-4f	Consumer rate relief bonds	Class I
263	§24-2-4	Procedure for changing rates prior to July 1, 1981	Class II
264	§24-2-11a	Requirement for certificate of public convenience and necessity before beginning construction of high voltage transmission line; contents of application; notice; hearing; criteria for granting or denying certificate; regulations.	Class II
265	§24-2-11c	Siting certificates for certain electric generating facilities or material modifications thereof	Class I
266	§24-2-11	Requirements for certificate of public convenience and necessity	Class I
267	§24A-2-5	Certificate of convenience and necessity	Class I
268	§24A-3-3	Permit	Class I
269	§29-22A-8	Form of application; local option elections; issuance of license; notice of incomplete application; notice of license or permit denial, suspension or revocation; procedure for review of license or permit denial, suspension or revocation; fees, renewal fees and renewal dates; bonding; renewal of licenses and permits; notice of change affecting license or permit; license or permit not transferrable or assignable.	Class II-0
270	§29-22B-1107	Bidding process	Class II-0
271	§29-22B-1201	Placement of video lottery terminals	Class II
272	§29-22B-1805	Procedure for forfeiture	Class II
273	§29-22B-1807	Disposition of other forfeited property; distribution of proceeds	Class III
274	§29-22C-7	Local option election	Class II-0
275	§29-25-7	Local option	Class II-0

276	§31-2-15	Same (Foreclosure or judicial sale of railroad company) - Rights and duties of purchaser	Class II
277	§31-3-2	Powers of boom company; boomage; lien; sale for tolls; free passage of logs	Class I
278	§31-3-3	Powers of boom company; boomage; lien; sale for tolls; free passage of logs	Class II
279	§31-15-8	Insurance fund	Class II
280	§31A-4-12	Impairment of capital forbidden; remedies; assessments; sale of stock	Class II
281	§31A-4-15	Required annual filing before exercising trust powers; penalties; notice of failure to comply	Class II
282	§31A-7-3	Conservatorship; reorganization	Class I
283	§31A-7-13	Claims procedures	Class III-0
284	§31G-2-9	General and special meetings	Class I
285	§32-2-202	Registration and notice filing procedure.	Class I
286	§33-20B-4	Disapproval of filings	Class II
287	§34-1-1	Taking up estray or boat	Class II
288	§34-2-2	Notice of suit	class II
289	§35-1-10	Notice of conveyance or lien; proof thereof	Class II
290	§35-5-2	Sale of part of cemetery; prohibitions	Class II
291	§36-2-12a	Summary proceedings for sale or lease; petition	Class III
292	§39-9-15a	Trustee's sale of timeshare estates	Class II
293	§37-6-24	Record of re-entry; publication of certificate	Class II
294	§37-13-3	Parties; notice	Class II
295	§38-1-4	Notice of sale	Class II
296	§38-1-10	Who may require trustee to give bond; new trustee on failure to give; notice	Class II
297	§38-2-15	Publication and posting of notice to nonresident owner or owner not found	Class II
298	§38-3-11	Enforcement of judgment lien by suit - Publication of notice to lienholders	Class II
299	§38-4-20	Time and place for sale of personal property under distraint, levy or order of court; posting or publishing notice; conduct and terms of sale	Class II-0
300	§38-5-8	Sale of real estate conveyed to officer	Class II
301	§38-12-3	Release by trustee when unnamed persons are secured; publication; effect	Class II
302	§38-13-5	Notice by trustee to creditors; publication and mailing	Class II
303	§38-13-9	Sales by trustee; creditors may prescribe manner and term; powers of fiduciary commissioner; compromising claims; continuing operation of business	Class II
304	§39-3-11	Same (Taking testimony as to lost records) - Publication of notice	Class II
305	§44-1-14a	Notice of administration of estate; time limits for filing of objections; liability of personal representative	Class II
306	§44-1-14b	Notice of ancillary filing without any administration of estate; time limits for filing of objections	Class II
307	§44-2-19a	Reports of delinquent filings and administrative closing of unprogressed estates	Class I-0
308	§44-3A-1	Election to make article applicable	Class II-0
309	§44-3A-4	Notice of claim; settlement in certain cases	Class II
310	§44-3A-19	Summary settlement before fiduciary supervisor	Class I-0
311	§44-3A-24	Reports of delinquent filings	Class I-0

312	§44-4-9	Publication of list of fiduciaries prior to settlements	Class II
313	§44-8-8	Reference to special commissioner and publication of notice to creditors in such suit	Class II
314	§44-9-3	Application for probate or administration, and publication of notice thereof	Class II
315	§44-9-9	Publication in such suit	Class II
316	§44-11-2	Affidavit as to publication of notice	Class II
317	§44-11-5	Notice of application and evidence required before order of transfer made	Class II
318	§44-11-7	What notice and evidence required before such transfer made	Class II
319	§44-11-8a	Removal of property of resident infant, incompetent or insane person from this state by nonresident testamentary guardian or nonresident committee	Class II
320	§47-2A-3	Publication of royalty rates; notice requirement; sanctions for failure to publish	Class II-0
321	§47-20-26	County option election	Class II-0
322	§47-21-24	County option election	Class II-0
323	§48-22-701	Proceedings	Class II
324	§48-25-101	Petition to circuit court or family court for change of name; contents thereof; notice of application	Class I
325	§48-27-311	Service of process	Class I
326	§49-4-115	Emancipation	Class II
327	§49-4-601	Petition to court when child believed neglected or abused; venue; notice; right to counsel; continuing legal education; findings; proceedings; procedure.	Class II
328	§50-1-6	Vacancy in the office of magistrate	Class II-0
329	§51-6-14	Application of unclaimed funds in hands of general receiver of circuit court	Class II
330	§54-2-3	Notice; riparian owner affected by taking of water	Class II
331	§55-12-2	Notice of sale; contents; publication	Class III
332	§55-12A-5	Persons to be joined as defendants; contents of verified petition; notice; guardian ad litem	Class III
333	§56-2-2	Service by publication	Class III
334	§56-3-24	Contents of order of publication; publishing	Class II
335	§56-3-28	Requisites of publication in Supreme Court of Appeals	Class II
336	§56-7-3	Notice by commissioner	Class II
337	§56-8-13	Further proceedings after reinstatement of case	Class II
338	§60-3A-10	Bidding procedure	Class II-0
339	§60-4-10	Notice of application for license	Class I
340	§60-5-4	Notice of election; when held; election officers	Class II-0
341	§60-6-21	Court procedure as to contraband and forfeited articles	Class II
342	§60A-7-705	Procedures for forfeiture	Class II
343	§60A-7-707	Disposition of other forfeited property; distribution of proceeds	Class III
344	§61-3-52	Wrongful injuries to timber; criminal penalties	Class II
345	§61-8C-9	Procedures for forfeiture	Class II
346	§61-8C-11	Disposition of other forfeited property; distribution of proceeds	Class III





## Appendix D

# West Virginia Weekly Newspaper Circulation for FY 2008 through FY 2019

West Virginia Weekly Newspaper Circulation for FY 2008 through FY 2019														
County	Newspaper	Political Party	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Barbour	The Barbour Democrat	None	4,540	4,417	5,300	5,000	4,900	5,300	530	5,301	5,300			5,301
Boone	Coal Valley News	None	5,550	4,821	4,461	4,211	3,950	4,483	3,682	1,176		339	1,319	987
Boone	The Boone Standard	Independent		1,205	1,098									
Braxton	Braxton Citizen's News	Democrat	6,064	6,109	6,072	5,989	5,978	5,911	5,860	5,718	5,735		4,369	4,374
Braxton	The Braxton Democrat Central	Republican	3,027	3,121	3,123	3,102	3,258	3,288	3,361		3,313	3,320	3,330	3,241
Brooke	The Brooke County Review	Democrat	1,350	1,350	1,350	1,500	1,300	1,212	1,350	1,450	1,434	3,320	1,388	1,408
Cabell	The Cabell Standard	Republican			1,296	1,184	1,299	1,241	1,305	894	938			
Calhoun	The Calhoun Chronicle	Democrat	1,711	2,930	2,941	2,943	2,945	2,951	2,928	2,921	3,000	3,000	3,000	2,800
Clay	Clay County Free Press	Democrat	2,926	4,050	4,000		3,400	2,736	2,337	2,046	1,942	1,983	1,535	1,457
Doddridge	The Doddridge Independent	Republican	4,250							750	758	780	862	1,056
Doddridge	The Herald Record	Republican		2,381	2,008	2,009	2,350	2,210	2,041	2,014	1,860	1,860	1,744	1,794
Fayette	The Montgomery Herald	Democrat	2,648		1,364	1,133	959	924	743	740	920	650	563	490
Fayette	The Fayette Tribune	Republican	1,556	1,759	1,827	1,718	1,560	1,485	1,171	1,093	1,187	1,129	1,046	934
Fayette	The Montgomery Herald	Democrat	1,987	1,388										
Gilmer	Glennville Democrat	Democrat	1,269	1,596	1,696	1,800	1,258	1,305	1,792	1,194	1,098	1,774	1,750	
Gilmer	Glennville Pathfinder	Republican	1,540		1,382	1,650	1,261	1,225	1,095	1,168	1,174	1,651	1,500	1,400
Grant	Grant County Press	Republican	5,265	5,125	5,130	5,020	5,017	4,945	4,605	4,300	4,250	4,225	4,116	3,738

**West Virginia Weekly Newspaper Circulation for FY 2008 through FY 2019**

County	Newspaper	Political Party	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Greenbrier	Mountain Messenger	Democrat	3,786	3,547	3,512	3,406	3,321	3,301	3,115	2,991	2,997	2,551	2,171	1,731
Hampshire	Hampshire Review	Democrat	7,150	7,150	7,150	7,150	7,150	7,150	7,150	7,150	7,150	7,150	7,150	7,150
Hancock	Hancock County Courier	Democrat	2,044	2,034	2,023	2,040	2,062	2,054		1,687				
Hancock	Hometown News	Republican									687	687	953	972
Hardy	The Moorefield Examiner	Democrat	4,601	4,296	4,524	4,377	4,422	4,208	4,124	3,818	3,845	3,676	3,626	3,489
Harrison	The Shinnston News & Harrison Co Journal	Democrat	1,975			3,000	3,300	1,965	3,300	2,782	2,706	1,576	1,340	1,186
Jackson	The Jackson Herald	Republican	6,125	6,000	5,900	5,900	5,700			4,900	4,700	4,900	4,900	3,500
Jackson	Jackson Star News	Democrat	4,791	4,829	5,100	5,100	5,100			4,600	4,400	4,600	4,600	3,100
Jefferson	Spirit of Jefferson Farmers Advocate	Democrat	4,472	4,534	4,009	4,013	4,013	4,013	4,200	4,200	4,200		4,200	4,200
Jefferson	The Shepherdstown Chronicle	None	1,351	1,319	1,300	1,153	1,136	1,010	988	968	965	777	727	667
Kanawha	Metro East													6,626
Kanawha	The West Virginia Record			400	0									
Kanawha	Saturday Gazette-Mail	None	66,664						48,578	45,998	45,304	39,388	38,083	
Kanawha	Sunday Gazette-Mail	None					57,047		65,344	60,079	58,391	50,042	49,136	46,667
Kanawha	Putnam Review													5,203
Kanawha	Metro West													12,964
Lewis	The Weston Democrat	Democrat	6,726	6,611	6,695	6,517	6,664	6,554	6,679	5,997	5,748	5,576	5,145	3,571

**West Virginia Weekly Newspaper Circulation for FY 2008 through FY 2019**

County	Newspaper	Political Party	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Lincoln	The Lincoln Standard	Independent		1,193	1,292									
Lincoln	The Lincoln Journal	Republican	4,668	3,179	2,600	2,922	3,043	2,873	3,068	2,402	2,023	2,445	2,755	3,097
Lincoln	The Lincoln News Sentinel	Democrat	1,304	1,028	1,331	1,002	1,003	1,148	1,085	1,080	1,135	1,121	2,051	1,085
McDowell	The Industrial News	Democrat	1,543	1,528	1,440	1,329	1,243	1,108	1,018	972	935	882	837	
Mercer	The Princeton Times	None	1,726	1,803	1,553	1,493	1,341	1,427	1,616	1,390	1,415		1,392	1,020
Mingo	Mingo Messenger	None	1,291							2,379	3,756	3,236	3,365	3,382
Mingo	Gilbert Times	None	3,964	1,290	1,100	974	925	598	450	369		277	354	
Monroe	The Monroe Watchman	None	5,595	3,967	3,982	3,958	3,884	3,857	3,792	3,652	3,521		3,409	3,253
Morgan	The Morgan Messenger	Republican	8,246	5,597	5,511	5,233	5,069	5,004	4,793	4,401	4,452		4,473	4,007
Nicholas	The Nicholas Chronicle	Democrat	36,897	8,477	8,448	8,340	8,120	7,917	7,912	7,481	7,103	6,874	6,554	6,527
Ohio	Sunday News Register	Democrat	5,011	36,190	34,746	33,568	32,723	31,501	30,342	31,394	28,068	26,583	23,094	20,878
Pendleton	The Pendleton Times	Democrat	2,838	5,006	4,929	4,837	4,705	4,672	4,347	4,226	4,067	3,948	3,734	3,595
Pleasants	The St. Marys Oracle	Democrat	1,900	2,842	2,785	2,717	2,634		2,772	2,834	2,838	2,863	2,863	2,842
Pleasants	Pleasants County Leader	Republican	5,656	1,914	1,912	1,853	1,962		1,871	2,006	2,040	2,035	2,031	2,004
Pocahontas	The Pocahontas Times	None	4,100	5,454	5,360	5,227	5,018	4,788	4,792	4,269	4,597	4,329	4,186	4,160
Preston	The Preston County News	Democrat	4,800	4,100	4,100	4,100	4,100	3,500	3,500	3,000	3,000		2,511	2,312
Preston	The Preston County Journal	Republican	1,086	4,800	4,800	4,800	4,800	4,200	4,200	3,500	3,500		2,693	2,470

West Virginia Weekly Newspaper Circulation for FY 2008 through FY 2019														
County	Newspaper	Political Party	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Putnam	The Hurricane Breeze	Republican	8,069	1,079	1,024	1,051	1,072	1,039	1,024	1,068	1,020	1,045	1,023	1,018
Putnam	Metro Putnam	None		8,069		7,387	6,507	6,851		5,896	5,552	3,061		
Putnam	Putnam Standard	Democrat	1,032		1,449	1,161	1,228	1,201	1,232	822	927			
Ritchie	The Pennsboro News	Democrat	4,107	4,094	3,949	3,975	3,759		3,729	3,976	3,962	3,883	3,906	3,794
Ritchie	Ritchie Gazette & The Cairo Standard	Republican	3,324	3,290	3,199	3,084	2,995	2,960	2,859	2,858	2,585	2,425	2,274	2,141
Roane	Roane County Reporter	Democrat	2,958	3,112	3,145	2,766	2,914	2,808	3,065	3,221	2,990	2,843	2,515	2,646
Roane	The Times Record	Republican	2,372	2,199	2,075	2,017	1,940	1,971	1,728	1,700	1,650	1,692	1,539	1,519
Summers	The Hinton News	None	3,726	3,732	3,706	3,665	3,595	3,624	3,580	3,467	3,418	3,148		3,468
Taylor	The Mountain Statesman	None	2,243	2,203	2,152		1,956	1,884	1,707	1,710	1,710	1,437	1,375	1,320
Tucker	The Parsons Advocate	Democrat	3,505	3,634	3,321	3,730	4,000	3,521	3,248	3,033	3,033		2,909	2,909
Tyler	Tyler Star News	Republican	3,235	3,281	3,193		3,228	3,153	3,202	2,795	2,445	2,405	2,131	1,800
Wayne	The Wayne County News	None	1,411	1,444	1,512	1,378	1,336	1,640		4,000	3,706		1,495	1,332
Webster	Webster Republican	Republican	1,005	1,002	1,007	1,001	1,006	1,006	1,021	1,057	1,026	1,018	1,024	
Webster	Webster Echo	Democrat	3,152	3,100	3,050	3,057	3,030	3,004	3,013	3,044	3,030	3,004	3,055	2,070
Wetzel	Wetzel Chronicle	None	4,996	5,442	5,553	5,342	5,219	5,139	5,281	4,630	3,860	3,965	3,524	2,865
Wirt	Wirt County Journal	Democrat	2,161	2,175	2,187	2,068	2,029		1,966	2,094	2,162	2,144	2,168	2,189
Wyoming	The Mullens Advocate	Republican	1,379	1,379	1,379	1,284	1,208	1,132		1,145				
Wyoming	The Independent Herald	None	1,788	1,790	1,400	1,304	1,151	728	721	557		498	496	434
<b>Annual Totals</b>			<b>294,456</b>	<b>220,365</b>	<b>212,451</b>	<b>206,538</b>	<b>268,093</b>	<b>183,725</b>	<b>289,212</b>	<b>298,363</b>	<b>289,528</b>	<b>233,683</b>	<b>244,289</b>	<b>220,143</b>

## Appendix E

# West Virginia Daily Newspaper Circulation for FY 2008 through FY 2019

**West Virginia Daily Newspaper Circulation for FY 2008 through FY 2019**

County	Newspaper	Party	Frequency	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
<b>Berkeley</b>	The Journal	NP	Daily	20,411	19,467	17,744	16,836	16,483	17,377	16,055	15,332	13,896	10,793	10,272	9,173
<b>Cabell</b>	The Herald Dispatch	NP	Daily	28,478	28,431	27,560	25,760	24,910	24,296	24,552	22,883	22,494	21,943	20,792	18,749
<b>Fayette</b>	The Register-Herald	NP	Daily						23,592						
<b>Greenbrier</b>	The West Virginia Daily News	R	Monday-Friday	4,370	4,431	4,462	4,506	4,343	4,275	4,440	4,637	4,570	4,529	4,486	4,448
<b>Hancock</b>	Weirton Daily Times	D	Daily	5,669	5,470	5,226	5,104	4,858	4,511	4,240	4,370	4,029	3,863	3,753	3,345
<b>Harrison</b>	The Exponent Telegram	NP	Daily	16,452	16,338	16,088	15,854	15,434	15,004	14,761	13,990	13,401		11,150	11,512
<b>Kanawha</b>	Charleston Daily Mail	R	Monday-Friday	24,417	23,781	22,358	21,391	19,665	18,702	17,552	16,791	15,956			
<b>Kanawha</b>	Charleston Gazette-Mail	D	Monday-Friday	50,532	49,927	47,919	47,095	42,358	35,830	34,946	33,180	31,844	32,982	38,071	35,107
<b>Logan</b>	Logan Banner	NP	Daily Except Monday and Saturday	8,476	8,564	7,710		6,016	5,317	5,025			3,186	2,414	1,759
<b>Marion</b>	Times West Virginian	NP	Daily	11,679	11,007	10,728	10,239	10,597	11,186	11,104	8,359	10,301	7,717	7,279	6,569
<b>Marshall</b>	Moundsville Daily Echo	R	Daily Monday-Friday, Except Holidays	3,835	3,886	3,500	3,250	3,400	3,000	3,000	3,049	3,010	2,874	2,538	2,203
<b>Mason</b>	Point Pleasant Register	NP	Daily	3,906	4,246	3,728		3,203	2,011	3,186	2,216	1,950	1,829	1,745	1,810
<b>McDowell</b>	The Welch News	R	3 days a week	3,979	3,796	3,656	3,537	3,497	3,362	3,263	3,201	3,268	3,001	2,622	2,453
<b>Mercer</b>	Bluefield Daily Telegraph	NP	Daily	18,674	18,389	16,831	16,014	15,575	15,196	14,723	14,662	12,907		10,363	8,851
<b>Mineral</b>	Mineral Daily News Tribune	NP	Daily	3,847	256	2,853	3,222	2,847	2,613	2,806	2,605	2,310	3,080		3,092
<b>Mineral</b>	Mountain Echo/Mineral Daily News Tribune	NP	Daily	3,953	52	3,119	2,922	2,843	2,606	2,841	2,680	2,299	3,061		2,140

**West Virginia Daily Newspaper Circulation for FY 2008 through FY 2019**

County	Newspaper	Party	Frequency	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Mingo	Williamson Daily News	NP	Tuesday-Friday and Sunday	6,731	6,960	7,200	4,489	5,167	4,106	2,874	2,157		2,208	2,398	1,432
Monongalia	The Dominion Post	NP	Daily	21,974	21,750	21,853/ 25,051	22,288	21,465	20,879	20,246	23,541	18,681	17,754	17,567	16,179
Ohio	Wheeling News Register	D	Daily	14,134	13,576	12,612	11,983	11,642	10,744	9,814	9,773	8,886	8,497	6,923	6,256
Ohio	The Intelligencer	R	Daily	19,942	19,666	17,964	17,078	16,616	16,986	16,355	16,258	16,214	15,061	12,998	11,293
Putnam	The Herald Dispatch	NP	Daily				283	312	355	292	246	266	266	215	183
Raleigh	The Register-Herald	NP	Daily	28,061	25,716	27,021	24,764	23,115		21,781	19,948	17,958	19,948	14,593	13,160
Randolph	The Inter-Mountain	R	Daily, Except Sunday	10,956	10,733	10,306	10,012	10,315	8,213	8,205	7,809	7,136	6,429	6,293	5,618
Upshur	The Record Delta	NP	3 days a week	3,117	3,680	3,107	3,437	3,979	3,297	3,029	3,475	2,987		3,148	2,944
Wayne	The Herald Dispatch	NP	Daily				5,072	4,767	4,521	4,489	3,916	4,170	4,170	3,806	2,807
Wood	Parkersburg News and Sentinel	NP	Daily		25,110	24,161	21,888	22,687	23,140	20,487	19,517	17,923	16,733	16,283	14,876
Wood	Parkersburg News	R	Daily	22,683											
Wood	Parkersburg Sentinel	D	Monday-Friday	3,722											
	<b>Annual Totals</b>			<b>339,998</b>	<b>325,232</b>	<b>295,853</b>	<b>297,024</b>	<b>296,094</b>	<b>281,119</b>	<b>270,066</b>	<b>254,595</b>	<b>236,456</b>	<b>189,924</b>	<b>199,709</b>	<b>185,959</b>

Key	
D	Democratic
NP	No Party
R	Republican

## Appendix F

### County Government Legal Advertisement Expenditures for FY 2019

<b>County Government Legal Advertisement Expenditures for FY 2019</b>	
<b>County</b>	<b>Total</b>
Barbour	\$67,093.72
Berkeley	\$75,364.98
Boone	\$42,565.97
Braxton	\$52,128.43
Brooke	\$23,678.49
Cabell	\$132,910.07
Calhoun	\$29,225.00
Clay	\$12,575.49
Doddridge	\$42,315.11
Fayette	\$95,609.89
Gilmer	\$30,680.70
Grant	\$12,353.93
Greenbrier	\$60,054.00
Hampshire	\$33,873.59
Hancock	\$24,483.59
Hardy	\$12,246.09
Harrison	\$68,902.74
Jackson	\$76,442.18
Jefferson	\$22,170.50
Kanawha	\$182,742.00
Lewis	\$27,512.05
Lincoln	\$77,117.44
Logan	\$49,266.94
Marion	\$89,133.09
Marshall	\$27,886.05
Mason	\$15,783.29
McDowell	\$34,191.45
Mercer	\$69,566.33
Mineral	\$24,207.40
Mingo	\$28,713.16
Monongalia	\$89,171.43
Monroe*	\$5,838.57
Morgan	\$24,580.59
Nicholas	\$34,450.90
Ohio	\$58,305.27
Pendleton	\$12,516.77
Pleasants	\$29,295.32
Pocahontas	\$24,353.29
Preston	\$59,768.81
Putnam	\$87,732.35
Raleigh	\$88,975.00

Randolph	\$34,359.95
Ritchie	\$53,875.59
Roane	\$72,198.30
Summers	\$13,485.19
Taylor	\$21,765.24
Tucker	\$13,391.34
Tyler	\$31,259.84
Upshur	\$53,981.00
Wayne	\$47,383.07
Webster	\$19,509.92
Wetzel	\$52,864.58
Wirt	\$35,379.98
Wood	\$58,210.79
Wyoming	\$37,386.58
<b>Total</b>	<b>\$2,600,833.34</b>

\*Not all invoices have been received by Monroe County's County Clerk's Office.



## Appendix G

## County Boards of Education Legal Advertisement Expenditures for FY 2019

County Boards of Education Legal Advertisement Expenditures for FY 2019	
County	Total
Barbour	\$2,350.34
Berkeley	\$5,398.43
Boone	\$4,058.48
Braxton	\$9,896.05
Brooke	\$3,937.97
Cabell	\$7,902.63
Calhoun	\$5,767.85
Clay	\$2,513.30
Doddridge	\$16,323.00
Fayette	\$11,810.44
Gilmer	\$5,936.00
Grant	\$2,395.82
Greenbrier	\$8,081.11
Hampshire	\$3,262.98
Hancock	\$1,775.59
Hardy	\$1,764.09
Harrison	\$4,671.00
Jackson	\$5,709.77
Jefferson	\$3,021.83
Kanawha	\$8,920.34
Lewis	\$3,832.83
Lincoln	\$10,476.42
Logan	\$6,841.00
Marion	\$7,535.46
Marshall	\$6,428.50
Mason	\$703.92
McDowell	\$3,787.90
Mercer	\$11,378.41
Mineral	\$5,642.13
Mingo	\$9,622.23
Monongalia	\$10,669.35
Monroe	\$2,065.69
Morgan	\$3,641.79
Nicholas	\$6,160.00
Ohio	\$6,013.18
Pendleton	\$2,112.02
Pleasants	\$7,140.60
Pocahontas	\$6,113.70
Preston	\$7,271.39
Putnam	\$4,049.05
Raleigh	\$10,585.69

Randolph	\$2,735.30
Ritchie	\$7,995.81
Roane	\$3,647.69
Summers	\$1,444.03
Taylor	\$2,175.22
Tucker	\$1,006.54
Tyler	\$5,307.51
Upshur	\$3,230.63
Wayne	\$9,773.73
Webster	\$2,517.57
Wetzel	\$4,009.48
Wirt	\$5,411.17
Wood	\$6,910.20
Wyoming	\$19,826.02
<b>Total</b>	<b>\$323,559.18</b>

## Appendix H

### Public Institutions of Higher Education Legal Advertisement Expenditures for FY 2019

Public Institutions of Higher Education	Total for Legal Ads for FY 2019
<b>4-Year</b>	
Bluefield State College	\$11,006.65
Concord University	\$115.63
Fairmont State University	\$0.00
Glenville State College	\$214.99
Marshall University	\$1,343.68
Shepherd University	\$402.40
West Liberty University	\$48.84
West Virginia School of Osteopathic Medicine	\$3,596.99
West Virginia State University	\$0.00
West Virginia University	\$260.26
<b>2-Year</b>	
Blue Ridge Community and Technical College	\$0.00
Bridgevalley Community and Technical College	\$0.00
Eastern WV Community and Technical College	\$0.00
Mountwest Community and Technical College	\$28.60
New River Community and Technical College	\$850.00
Pierpont Community and Technical College	\$750.00
Southern WV Community and Technical College	\$25,144.16
West Virginia Northern Community and Technical College	\$1,000.00
West Virginia University at Parkersburg	\$327.00
<b>Total</b>	<b>\$45,089.20</b>



## Appendix I

### Municipalities Legal Advertisement Expenditures for FY 2019

<b>WV Ten Most Populous Municipalities</b>	<b>Total for Legal Ads for FY 2019</b>
City of Beckley	\$10,020.76
City of Charleston	\$13,579.11
City of Clarksburg	\$8,406.42
City of Fairmont	\$5,668.22
City of Huntington	\$9,442.04
City of Martinsburg	\$5,819.50
City of Morgantown	\$1,124.50
City of Parkersburg	\$19,739.29
City of Weirton	\$6,375.21
City of Wheeling	\$6,180.00
<b>Total</b>	<b>\$86,355.05</b>





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