

In my opinion the power to advise county officers resides either in the district attorney or the corporation counsel. I construe the provisions discussed above as expressing legislative intent to limit the transfer of the district attorney's powers to county corporation counsel exclusively. This would prevent the employment pursuant to sec. 59.025 (3) (a) of an attorney who is not an assistant district attorney or assistant county corporation counsel to give day-to-day advice to the sheriff and members of his department with respect to their duties and functions. Since the duty to advise county officers, including the sheriff, is vested solely within the district attorney or county corporation counsel, it is my opinion that no transfer of powers, duties or functions from the county corporation counsel may be made to an attorney employed within the sheriff's department under sec. 59.025 (3) (c).

BCL:RJV

Anti-Secrecy; Open Meeting; Newspapers; Open Meetings of Governmental Bodies Law, subch. IV of ch. 19, Stats., does not require that notice of a meeting be given by a legal notice or paid publication.

Method of giving notice pursuant to sec. 19.84 (1), Stats., discussed. OAG 86-76

October 29, 1976.

RICHARD F. FOLTZ

Burlington

Pursuant to sec. 19.98, Stats., as created by ch. 426, Laws of 1975, you request my opinion whether the notice required under sec. 19.84 (1) (b), Stats., requires publication as a legal notice in the official newspaper of the governmental unit.

I am of the opinion that it does not. I refer you to 63 OAG 509 (1974), which discusses the meaning of "communication" under sec. 66.77 (2) R.S. 1973. The advice given in 63 OAG 509 is applicable to the present law.

Section 19.84 (1), Stats., requires the giving of any notice:

"(a) As required by any other statutes; and

"(b) By communication from the chief presiding officer of a governmental body or such person's designee to the public, to those news media who have filed a written request for such notice, and to the official newspaper designated under ss. 985.04, 985.05 and 985.06 or, if none exists, to a news medium likely to give notice in the area."

Notice to the public can be given by posting in one or more public places likely to be noticed by the public or those who might be concerned. Written or telephonic communication to members of the news media or official newspaper is sufficient. A written communication is desirable as it reduces the chances for error. While paid publication is not required under sec. 19.84, the governmental body or its chief presiding officer may decide that, because of the particular nature of the meeting to be held, the preferable means of providing notice is by paid publication. All notices must meet the content requirements of sec. 19.84 (2), Stats. Notice must be given at least 24 hours prior to the commencement of the meeting except in the case of an emergency, and in such case, at least 2 hours' notice is required. The shorter notice can only be used where it is "impossible or impractical" to give the "at least 24 hours" notice.

Section 19.84 (4) requires a separate and complete notice for *each meeting* at a time and date reasonably proximate to the meeting, and subsec. (2) requires that the notice of a meeting include any special subject matter intended for consideration at a contemplated closed session.

BCL:RJV

Bids And Bidders; Contracts; Public Works; Architects And Engineers; Professional Engineer; Administration, Department Of; Procedures; State contracts for the purchase of professional architectural and engineering consulting services must comply with the bidding requirements of sec. 16.75 (1), Stats., unless waived by the Governor. OAG 87-76

November 2, 1976.

ROBERT H. DUNN, *Secretary*
Department of Administration

Your predecessor asked whether the Department of Administration is required by law to purchase professional