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GEORGE DEUKMEJIAN
Attorney General

OPINION	:	No. 79-1116
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of	:	<u>March 6, 1980</u>
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GEORGE DEUKMEJIAN	:	
Attorney General	:	
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Clayton P. Roche	:	
Deputy Attorney General	:	

SUBJECT: NEWSPAPER OF GENERAL CIRCULATION—A newspaper which has been adjudicated to be a newspaper of general circulation, in a city pursuant to section 6008 of the Government Code is, by virtue of that adjudication, also a newspaper of general circulation for the county and state as well.

The Honorable Leonard G. Krup, County Counsel, Glenn County, has requested an opinion on the following question:

Is a newspaper which has been adjudicated to be a newspaper of general circulation in a city pursuant to section 6008 of the Government Code also, by virtue of that adjudication, a newspaper of general circulation for the county and state as well?

CONCLUSION

A newspaper which has been adjudicated to be a newspaper of general circulation in a city pursuant to section 6008 of the Government Code is, by virtue of that adjudication, also a newspaper of general circulation for the county and state as well.

ANALYSIS

1. Background Law Under Section 6000— The “Both Printed and Published” Rule

Section 6041 of the Government Code states the general rule with respect to the publication of official notices and similar materials.¹ It states:

Whenever any publication, or notice by publication, or official advertising is required by any law of the State to be given or made by any State, county or city officer, by the officer of any political subdivision of the State, or by any officer of any court, the publication, notice by publication, or official advertising shall be given or made only in a newspaper of general circulation published within the jurisdiction of the officer.”²

Since 1905, California law has set forth certain criteria for determining whether a newspaper qualifies as a newspaper of general circulation. (See Stats. 1905, ch. 345.) These criteria are now found in section 6000 *et seq.* Prior to 1952 a newspaper could be a newspaper of general circulation without a court adjudication of that status. The law, however, provided for such an adjudication at the owner’s option. (See, e.g. discussion in *In re Norwalk Call* (1964) 62 Cal. 2d 185, 189.) Since July 1, 1952 an adjudication of such status has been mandatory. (§ 6027.)

Section 6000 sets forth the general definition of a newspaper of general circulation essentially as it has been contained in the law since 1905. It provides:

“A ‘newspaper of general circulation’ is a newspaper published for the dissemination of local or telegraphic news and intelligence of a general character, which has a bona fide subscription list of paying subscribers, and *has been established, printed and published* at regular intervals *in the State, county, or city* where publication, notice by publication, or official advertising is to be given or made for at least one year preceding the date of the publication, notice or advertisement.” (Emphasis added.)

¹ All section references are to the Government Code unless otherwise indicated.

² This general rule may be modified by a specific statute regarding a particular official notice or official publication. (See, e.g., *Yreka City v. Warrens* (1938) 10 Cal. 2d 776; *Midwick Country Club v. County of L.A.* (1936) 11 Cal. App. 2d 217.) For variations and exceptions to the general rule, see also sections 6040.1, 6041.1 and 6042.

Of particular significance to our inquiry herein are two points to be drawn from the language emphasized above: (1) a newspaper of general circulation is described as being established in the state, county or city, with no reference to other jurisdictions such as special districts and judicial districts; and (2) to qualify as a newspaper of general circulation, the newspaper must be *both* printed and published within the jurisdiction for which it desires to qualify.

With regard to this second point, prior to 1923 the California Supreme Court held that, insofar as the statute (then Political Code, § 4460) required that a newspaper of general circulation be both “printed” and “published” in the jurisdiction (e.g. a city), it did not “require that the physical act of printing was to be done in the place of publication, but merely that the paper be printed and circulated there . . . [and that] the only reasonable construction that can be given to ‘printed and published’ is that the paper must be produced in the community where it is aimed to have it recognized as a legal advertising medium.” (*In re McDonald* (1921) 187 Cal. 158, 161.)

The Legislature, however, responded almost immediately to that case by amending the law to provide in no uncertain terms that the mechanical work of printing must be done in the community where the newspaper is sold to and circulated to the people, although “grandfather clause” status was accorded newspapers meeting the criteria of the case law (Stats. 1923, ch. 266.)³ Consequently, as explained in *In re Anaheim Daily Gazette* (1963) 214 Cal. App. 2d 438, 444, the Legislature had created two classes of newspapers of general circulation, pre-1923 newspapers, and post-1923 newspapers:

“It now appears that section 6006 has the same legal effect as section 4465 of the old Political Code. This statute was applied and construed in *In re Byers, supra*, 219 Cal. 446, a case similar to the one at bar. Apparently, like its predecessor section 4465, section 6006 creates two classes of newspapers of general circulation: those in existence before 1923 and those initiated thereafter, and exempts those venerable publications of the first class from the requirement that printing be done in the place of publication . . . Thus, the plain meaning of section 6006, as presently in force, is to free newspapers of general circulation in existence before 1923 from the requirement that they be printed in the place of publication. This interpretation is compelled by the unambiguous language of section 6006.”

Accordingly, without the benefit of “grandfather clause” status, a newspaper could not qualify as one of general circulation in and for a city unless it was both printed and published in the city. Nor could a newspaper qualify as one of general circulation in and

³ See now §§ 6003–6006.

for a county unless it was likewise both printed and published in the county (See also, e.g., *In re News-Ledger* (1967) 255 Cal. App. 2d 211; *In re Norwalk Call* (1964) 62 Cal. 2d 185; *In re Covina Argus Citizen* (1960) 177 Cal. App. 2d 315; *In re Lynwood Herald American* (1957) 152 Cal. App. 2d 901; *In re “Sonora Daily”* (1951) 108 Cal. App. 2d 53; *In re Chrattensen* (1951) 104 Cal. App. 2d 375.) *The rationale for the 1923 amendments to the law* was explained in *Application of Monrovia Evening Post* (1926) 199 Cal. 263, 269:

“The very purpose of requiring the publication of official notices is to inform the people concerning proceedings of a public nature for their general welfare. It appears reasonable to require such notices to be published in newspapers having a fixed and permanent domicile and a substantial circulation at the city or place where the inhabitants live who are most vitally interested in the transactions respecting which notices are required. At least, it is not unreasonable to expect the citizens of a particular community to rely upon their local newspaper primarily to inform them of the proceedings of their own local officers and the affairs of local public importance. *No doubt it is on this theory that the legislature has seen fit to require such official advertising done only in newspapers of general circulation, both printed and published in the place where such notices are given or made.*” (Emphasis added.)

(See also, e.g., *In re “Sonora Daily”*, *supra*, 108 Cal. App. 2d at p. 59: “in order to qualify as an organ for publication of . . . notices, [a newspaper should] have a fixed and permanent abode.”)

The harshness of a stringent application of the law is possibly best exemplified in *In re Covina Argus-Citizen*, *supra*, 177 Cal. App. 2d 315 where the newspaper, which had been adjudicated in 1952 as a newspaper of general circulation for the City of Covina, and for the County of Los Angeles. and for the State of California was held to have lost its status as such for the City of Covina when it moved its printing operation possibly only one block out of that city (but clearly no more than 1 mile) into West Covina. (*Id.* at pp. 317–318.)⁴

2. Sections 6000 and 6008 Contrasted— The Issue and Analytical Framework

With the foregoing background, we now reach section 6008, the section to be

⁴ Such a modification of a prior judgment is mandatory upon the court. (*Id.*, at pp 318–319; see generally § 6024.)

construed herein, which was added to the law in 1974 (Stats. 1974, ch. 241, § 1, pp. 448–449). It provides:

“Notwithstanding any provision of law to the contrary, a newspaper is a ‘newspaper of general circulation’ if it meets the following criteria:

“(a) It is a newspaper published for the dissemination of local or telegraphic news and intelligence of a general character, which has a bona fide subscription list of paying subscribers and has been established and published at regular intervals of not less than weekly in the city, district, or judicial district for which it is seeking adjudication for at least three years preceding the date of adjudication.

“(b) It has a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication.

“(c) It has maintained a minimum coverage of local or telegraphic news and intelligence of a general character of not less than 25 percent of its total inches during each year of the three-year period.

“(d) It has only one principal office of publication and that office is in the city, district, or judicial district for which it is seeking adjudication. “For the purposes of Section 6020, a newspaper meeting the criteria of this section which desires to have its standing as a newspaper of general circulation ascertained and established, may, by its publisher, manager, editor, or attorney, file a verified petition in the superior court of the county in which it is established and published.

“As used in this section:

“(1) ‘Established’ means in existence under a specified name during the whole of the three-year period, except that a modification of name in accordance with Section 6024, where the modification of name does not substantially change the identity of the newspaper, shall not affect the status of the newspaper for the purposes of this definition.

“(2) ‘Published’ means issued from the place where the newspaper is sold to or circulated among the people and its subscribers during the whole of the three-year period.”

It is seen that section 6008 differs from the prior law with regard to attaining the status of a newspaper of general circulation in three significant respects (1) the newspaper must have been established for three years in lieu of one year; (2) the described areas for its qualification are a “city, district, or judicial district” in lieu of the “State, county or city” and (3) it need not be both “printed and published” in the jurisdiction for which it seeks qualification so long as it is established and published in the jurisdiction, and it has only one principal office which is within the jurisdiction.⁵

The question presented is whether an adjudication pursuant to section 6008 that a newspaper is a newspaper of general circulation for a particular city also automatically, or by operation of law, constitutes an adjudication that the newspaper is also a newspaper of general circulation for the county and state.

In resolving this issue, it will be necessary for us to determine whether a newspaper which qualifies as a newspaper of general circulation pursuant to section 6008 may even qualify as one also for the county and state. This problem arises because of the difference in wording between sections 6000 and 6008 as to jurisdictions. To making this determination we will examine the case law under section 6000 to see if an adjudication thereunder as to a city would also entitle a newspaper to a similar adjudication as to the county and state as well. If so, we will then consider whether sections 6000 and 6008 should be similarly construed. In so doing we will analyze the legislative history and purpose of section 6008. Finally, we will reach and consider the ultimate question, that is, whether and adjudication under section 6008 that a newspaper is one of general circulation for a city automatically, or by operation of law, constitutes an adjudication for the county and state as well.

3. Case Law Under Section 6000— City Entitlement Also Constitutes County and State Entitlement

The resolution of the question of “concurrent entitlement” would appear to depend upon the extent to which a newspaper must be circulated or sold within a jurisdiction before it may qualify as a newspaper of general circulation. Stated otherwise, must it be circulated or sold within the whole geographical area (or perhaps populated area) of a jurisdiction, or a major portion thereof, to qualify? In light of the general legislative purpose with respect to the qualification of newspapers of general circulation (see *In re Norwalk Call*, *supra*, 62

⁵ But for the three year requirement and the difference in enumerated jurisdictions, subdivisions (a), (b), and (c) are similar to section 6000. The third full paragraph is similar to section 6020. The definition of “established” is similar to section 600?, with the modification of time from one year to three years. The definition of “published” is similar to section 6004 with, however, the deletion of the requirement that it be “printed” at the place where it is published.

Cal. 2d at p. 190), one might conclude that such is the case-or at least should be. Although there are no appellate court decisions with respect to section 6008, the case law under section 6000 clearly demonstrates, however, (1) that circulation or sale of a newspaper within a limited area of a jurisdiction is sufficient, and accordingly, (2) that qualification for a city constitutes at a minimum entitlement to qualification for the county and state as well.

Cases which graphically demonstrate that circulation and sale within a limited area will suffice to qualify a newspaper for the entire jurisdiction include, among others⁶ *In re Christensen*, *supra*, 104 Cal. App. 2d 375, *In re Lynwood Herald American*, *supra*, 152 Cal. App. 2d 901, and *In re Johnson* (1935) 4 Cal. App. 2d 308. In *In re Christensen* the San Pablo Reporter, a weekly newspaper was published and circulated in the City of San Pablo but was printed in other cities or townships in Contra Costa County. The court concluded that although the newspaper could not qualify for the City of San Pablo, it did qualify for the county and the state. In *In re Lynwood Herald American*, the Lynwood Herald American and the Lakewood Herald American were sold in their respective cities, but were printed in the City of Compton. The court, relying upon *In re Christensen*, *supra*, determined that the newspaper, although not qualified for their respective cities, did qualify as newspapers of general circulation for the County of Los Angeles. This, despite the size of the county, and their limited circulation therein. Finally, in *In re Johnson*, “The Herald”, which had 200 persons on its subscription list, 150 of whom were paying subscribers, and 90% of whom were within the San Fernando Valley, was determined to be a newspaper of general circulation for the City of Los Angeles. The court, apparently surprised at the liberality of the law, stated:

“We do not wish our conclusions to be understood to express our own opinions as to the efficacy of such a paper as a notice carrying publication but we do think the testimony supports the findings and judgment under the requirements of section 4460 of the Political Code [the predecessor to section 60001].” (4 Cal. App. 2d at p. 309.)

An explanation for the apparent liberality of the law is found in *In re Lynwood Herald American*, *supra*, where the court held the two newspapers involved to be newspapers of general circulation for Los Angeles County: The court stated:

“It is a matter of common knowledge that without the lucrative income resulting from ‘legal advertising’ the smaller newspapers, especially weekly and biweekly publications, find it difficult to survive the competition of the metropolitan dailies. Yet ‘legal notices’ in such papers are as likely to

⁶ The cases on “point (2)” in the current discussion will also support this proposition.

be seen and read in the jurisdiction where the publication is required to be made is they would be in the larger dailies. The interpretation respondent seeks to have given to section 6004.5 is the equivalent of a request that the law limit competition against itself and its members with respect to legal advertising. There is no specific or definite language that the Legislature intended any such result. It would be contrary to the established policy of this state which is to encourage competitive enterprise and to proscribe monopolistic tendencies.” (152 Cal. App. 2d at p. 909.)

(See also, generally, 25 Ops. Cal. Atty. Gen. 65 (1955); 21 Ops. Cal. Atty. Gen. 197, 199 (1953); 19 Ops. Cal. Atty. Gen. 69 (1952).)

Moving to the second point of the current discussion, we see that the case law clearly demonstrates that entitlement to an adjudication as a newspaper of general circulation for a city automatically, or by operation of law, entitles that newspaper to an adjudication as to the county and state as well. This point is implicit from the cases just discussed. However, the point is also expressly found in other cases. For example, in *Western States Newspapers, Inc. v. Gebringer* (1962) 203 Cal. App. 2d 793, a controversy arose as to whether the Board of Supervisors had properly published the delinquent tax list. Publication was made in various editions of “The Independent,” that is, the Eastern and Southern Editions. The Independent had been adjudged to be a newspaper of general circulation for the City of San Diego. In response to the contention that the publication should have been made in newspapers of general circulation in each city involved (i.e., La Mesa, El Cajon, National City, Chula Vista, Imperial Beach and Coronado), the court noted that the board was a county agency, and stated significantly for our purposes:

“Although a newspaper printed and published in one city may not qualify as a newspaper of general circulation for another city, it does qualify as a newspaper of general circulation for the county in which it is both ‘printed’ and ‘published.’ (Gov. Code, § 6000; *In re Covina Argus-Citizen*, 177 Cal. App. 2d 315, 319–320 [1 Cal. Rptr. 184]; *In re Lynwood Herald American*, 152 Cal. App. 2d 901 [313 P.2d 584]; *In re Christensen*, 104 Cal. App. 2d 375, 378 [231 P.2d 152].)” (203 Cal. App. 2d at p. 797.)

As stated by the court in *In re Covina Argus-Citizen, supra*, 177 Cal. App. 2d 315, where the court was required pursuant to section 6024 to modify its prior judgment that the newspaper involved therein was a newspaper of general circulation for the City of Covina, and for the County of Los Angeles, and for the State of California” (*id.*, at p. 317) because the printing was moved to West Covina:

“ . . . as stated by the trial court, section 6024 must be read in the light of section 6000 of the Government Code. *Just as under the provisions of section 6000 it is contemplated that there may be an adjudication that a newspaper is one of general circulation for a particular city as well as for the county in which it is situated or for the county only (In re Christensen, supra, 104 Cal. App. 2d 375, 378), so must section 6024 be deemed to include the matter of the modification of such an adjudication relating to a county and a particular city therein so as to eliminate the portion thereof relating to the city.*” (Emphasis added.) (177 Cal. App. 2d at p. 320.)

See also *Steiger v. Board of Supervisors* (1956) 143 Cal. App. 2d 352, 358–359: “A newspaper which is published in Culver City is necessarily published in the County of Los Angeles.”

Thus, under section 6000, and the cases decided thereunder, it is contemplated that a newspaper which is qualified as one of general circulation for a city will also, at a minimum, be entitled to qualify for the larger jurisdictions, that is, the county and the state.

4. Sections 6000 and 6008 Should Be Similarly Construed— The Legislative History and Purpose of Section 6008

The next question for resolution is whether a different rule should apply as to section 6008. We have discussed the essential differences between sections 6008 and 6000. These relate to (1) the time the newspaper must be “established” and “published” in the jurisdiction—that is, three years in lieu of one year; (2) the elimination of the requirement that the newspaper must be *both* printed and published within the jurisdiction for the requisite period of time; and (3) the difference in the enumeration of areas for qualification as a newspaper of general circulation, that is, “city, district, or judicial district” under new section 6008 as opposed to “State, county or city” under section 6000.

Insofar as the question just stated is concerned, the only material difference would appear to be the third one, the difference in the enumeration of jurisdictions. We conclude that sections 6000 and 6008 should be similarly construed.

“In construing a statute it is the task of the court to determine the intent of the Legislature so as to fulfill the purpose for which the statute was enacted.” (*Enterprise Residents Etc. Committee v. Brennan* (1978) 22 Cal. 3d 767, 771–772.) “Consideration of the deletions as well as additions, to proposed legislative enactments has traditionally served as an interpretive tool for the courts.” (*Tracy v. Municipal Court* (1978) 22 Cal. 3d 760, 764.) Furthermore, the courts have recently also turned to the Legislative Counsel’s Digest of proposed enactments to aid in ascertaining legislative intent. (See, e.g., *People v.*

Tanner (1979) 24 Cal. 3d 514, 520; *People v. Superior Court (Douglass)* (1979) 24 Cal. 3d 428, 434.)

Section 6008 was added to the law as the result of the passage of Senate Bill No. 1583, 1974 Regular Session. The Legislative Counsel's Digest stated as follows in all versions of the bill as it proceeded through the Legislature:

"SB 1583, as amended, Berryhill Publication of official advertising.

"Establishes alternative criteria for qualification as a 'newspaper of general circulation' for purposes of law relating to publication of official advertising.

"Vote: majority. Appropriation: no. Fiscal committee: no. State mandated local program: no." (Emphasis added.)

Thus, it is seen that the legislative purpose as expressed above was to establish "alternative criteria for qualification as a 'newspaper of general circulation.'" There is no indication in the digest that such "alternative criteria" was to be limited to jurisdictions of areas less than the state or the county. Furthermore, it is difficult to envision any reason to restrict such "alternative criteria" to lesser jurisdictions when it is evident that the *main purpose* of the bill was to do away with the strict requirements of section 6000 that a newspaper, to qualify, must be *printed* in the jurisdiction. For example, Senate Bill No. 1583, as introduced on January 17, 1974, already contained its main thrust. No longer was there to be a requirement regarding the place of printing so long as the paper had been established for three years. As introduced, the bill spoke in terms of being distributed and issued "in the *area* for which it is seeking adjudication." (Emphasis added.) Thus, as originally introduced, the bill contained no specific enumeration of jurisdictions. It was not until its third amendment on April 29, 1974 that the enumeration "city, district, or judicial district" was substituted for the word "area" in the bill.

It might be argued, however, that this change from the general, all encompassing word "area", to that of the limited wording "city, district, or judicial district" evidenced an intent to exclude any jurisdiction other than those enumerated. However, we believe there is another more logical explanation for this change which is consistent with the main purposes of the bill, to do away with the "printing requirement"—and, as stated in the Legislative Counsel's Digest, to provide "alternative criteria for qualification as a 'newspaper of general circulation.'" That explanation is that section 6000, in its enumeration of jurisdictions (state, county or city) contained a void with respect to publications by the numerous types of special districts and by judicial districts. In enacting section 6008, the Legislature appears to have decided not only to do away with the strict

“printing requirement” found in section 6000 but also to use the addition of section 6008 as a vehicle to fill such void.⁷ Viewed in this light, it is more logical to conclude that the Legislature, in its enumeration of jurisdictions in section 6008, did not intend to exclude the county and state from its scope, but considered their inclusion as implicit under the existing case law which had been decided under section 6000.

In short, the Legislature, in enacting section 6008, was attempting to *simplify* procedures and practices with respect to newspapers of general circulation by providing an alternative for qualification which eliminated a possibly anachronistic requirement, the “printing requirement”, and by providing language more in tune with statutory notice requirements. To conclude that section 6008 does not permit qualification for the county and the state would run completely counter to that legislative purpose to simplify and update matters and would, in our opinion, give rise to an illogical dichotomy between newspapers which qualify pursuant to section 6000 and those which qualify pursuant to section 6008.

Accordingly, we conclude that under section 6008, a newspaper which is qualified to be a newspaper of general circulation for a city is also qualified to be a newspaper of general circulation for the county and state as well. In so concluding, we do not overlook the requirement of subdivision (b) that the newspaper must have “substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication.” However, as we have demonstrated under section 6000, substantial distribution within a city is sufficient to qualify a newspaper of general circulation as one for the county and the state as well. (E.g., *In re Covina Argus-Citizen*, *supra*, 177 Cal. App. 2d 315; *In re Christensen*, *supra*, 104 Cal. App. 2d 375.) We believe the Legislature had this lesser includes the greater principle of the Covina and Christensen cases in mind when it enacted section 6008 and this explains why no reference is made in that section to the county or the state.

⁷ For a few examples of publication requirements for special districts, see § 61660 (Community Services District); Pub. Util. Code, §§ 16844, 17371 (Public Utility Districts); Pub. Util. Code § 22813 (Airport Districts); Ed. Code § 19721 (Library District). With respect to judicial districts, see, e.g., Code Civ. Proc. § 692, subdiv. (3) relating to sales of real property on execution of judgment.

See also, e.g., *County Sanitation Dir. No. 4 v. Payne* (1925) 197 Cal. 448 for an early example of a court struggling with the problem of the publication of “district” matters in the context of the law relating to newspapers of general circulation which did not refer to districts.

5. An Adjudication as to the City Is an Adjudication as to the County and State as Well

Having concluded that under section 6008 a newspaper which qualifies as one of general circulation for a city may also qualify as one for the county and state, we reach the final question, that is, whether an adjudication as to a city also automatically includes the county and state without a separate adjudication as to those jurisdictions.

An examination of the case law decided under section 6000, the only case law available, fails to disclose any definitive answer to this question which could be applied by analogy to section 6008. The statutes, sections 6020 and 6008 merely provide that a newspaper is to file a petition in the county “to have its standing as a newspaper of general circulation ascertained and established.” An examination of the case law under the early Political Code discloses that the petitions and/or judgments were in terms of a newspaper having been determined to be a newspaper of general circulation “within the meaning of section 4160 of the Political Code”, or some variant thereof. (See, eg., *In re Labor Journal* (1923) 190 Cal. 500; *In re McDonald*, *supra*, 187 &l. 158; *In re Herman*, (1920) 183 Cal. 153.) Later case law setting forth more specifically the form of the judgment is also not determinative. For example in *In re Norwalk Gall*, *supra*, 62 Cal. 2d 185 the Court described the initial judgment as “establishing the *Norwalk Call* to be a newspaper of general circulation in the City of Norwalk in said [Los Angeles] county,” a truism as to the county. Likewise, in *In re Johnston*, *supra*, 4 Cal. App. 2d 308, the judgment stated that “The Herald” was “competent to print and publish all legal notices required by law. . . to be printed and/or published in a newspaper of general circulation printed, published and distributed in the City of Los Angeles, County of Los Angeles, State of California”, again couched in territorial truisms as to the larger jurisdiction without specifically stating the newspaper’s qualification as to these jurisdictions. Other cases merely note a qualification as to the particular city without further elaboration. (E.g., *Western States Newspapers, Inc. v. Gebringer*, *supra*, 203 Cal. App. 2d 793, 796.) The only case of which we are aware involving a city where the judgment specifically stated that the newspaper was qualified as to the city, county and state is *In re Covina Argus-Citizen*, *supra*, 177 Cal. App. 2d 315. In that case the original judgment, modified because of the change of situs of printing, was that the Argus Citizen was a newspaper of circulation ““for the City of Covina, and for the County of Los Angeles, and for the State of California””. (*Id.*, at p. 317.)

In short, neither the statutory law nor the case law contains anything definitive as to the requisite form of a judgment. Even cases such as *Western States Newspapers, Inc. v. Gebringer*, *supra*, 203 Cal. App. 2d 793, and *Steiger v. Board of Supervisors*, *supra*, 143 Cal. App. 2d 352, which at a minimum hold that qualification as to a city would meet the qualifications for the county, are not absolutely definite with respect to the actual form of the adjudication therein—that is, whether the judgment also specifically included die

county and state. Nevertheless, based upon such case law, it is our opinion that if there is an adjudication that a newspaper qualifies as one of general circulation for a city, it necessarily follows that it also qualifies for the county and for the state. (See *Steiger v. Board of Supervisors, supra*, 143 Cal. App. 2d at pp. 358–359.) Although it would be better to so state in the judgment, the statement would be, in effect, a legal truism and essentially surplusage. The Legislature also apparently so believed when it designated the jurisdictions in section 6008 and failed to include counties and the state.

Accordingly, we conclude that a newspaper which has been adjudicated to be a newspaper of general circulation for a city pursuant to section 6008 is, by virtue of such adjudication, also automatically or by operation of law, a newspaper of general circulation for the county and state as well. The case law decided under similar section 6000 demonstrates that in this situation the lesser jurisdictions also include the greater ones.
