

Keep public notices in newspapers, where they've proven effective for years

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Paula Casey Special To The Arizona Daily Star Arizona Daily Star | Posted: Wednesday, February 1, 2012 12:00 am | Comments

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.Long before transparency was the catchphrase of government watchdogs, Arizona newspapers were the primary fighters in the battle to keep government records open to citizens. In the last few years, the transparency fight has moved to protecting the public's right to know by keeping public notices in newspapers.

Newspapers have historically fulfilled the important role of providing notice on such things as upcoming public hearings, proposed tax increases, ordinance changes, budget proposals and many other important government actions and information that affect people's rights and lives every day.

Rep. David Stevens, R-Sierra Vista, has introduced legislation (HB2403) that would allow Internet posting in lieu of newspaper publication. If enacted, this bill would have a hugely detrimental impact on the public's right to know.

In its current form, the bill would allow government to publish public notices in a newspaper or to post notices anywhere on a "worldwide public network of interconnected computers."

Why is the bill calling for notices to be provided in either print or online when newspapers have been publishing these notices in both print and online since 1998?

Every time an Arizona newspaper publishes a public notice, it is also posted to the individual newspaper's website and further posted to an aggregate, centralized website hosted by the Arizona Newspapers Association.

Local newspaper websites are the most popular and most commonly viewed websites in their communities, with visits dramatically overshadowing those of government websites. The free aggregate statewide website [www.publicnoticeads.com](http://www.publicnoticeads.com) received a staggering 1,850,000 page views in 2011 alone.

Simply put, the current system is working and working well. These notices are reaching Arizonans in both print and online.

Moreover, government has no business taking over a function currently being performed well and cost-effectively by Arizona's newspapers - thus taking private jobs and giving them to government.

There are other reasons to preserve printed notices. In Arizona, there is a significant disparity in Internet access among regions and demographics.

For example, it is well known that older citizens do not use the Internet like their younger counterparts, and many do not even own computers or use the Internet at all. Moreover, reports have shown that as many as 45 percent of minorities are without Internet access.

Another critical issue that seems to be lost in this discussion is that public notices, also known as legal notices, have a very real, legal significance.

When published under the existing process, newspapers are able to produce an archive of all notices printed and can produce valuable affidavits as authentic proof that the public was noticed. In fact, the U.S. Library of Congress is grappling with the issue of archivability of the Web and has yet to find an answer.

Experts agree that there are four elements that mark a valid public notice: the notice (1) must be published by an independent party; (2) be capable of being archived; (3) be accessible; and (4) be verifiable.

Does anyone among us trust government to police itself when it comes to notifying the public with important information?

Take a recent case in Santa Cruz County: In 2008, the county was allowed to post its minutes to the county website instead of publishing them in a newspaper. As a result, in 2009 Santa Cruz County posted the minutes of only six of 48 meetings - and none since February 2009. Not surprisingly, budget and staffing challenges were the stated reasons for non-compliance. What do you think will happen if they are required to post all notices online?

The amount of money government spends on these notices is a very small part of the overall budget for cities, towns and counties. In almost all cases, the government spends less than one half of one percent of its budget on this valuable service.

If you value printed notices and have an interest in protecting the public's right to know, please contact the members of the House Technology & Infrastructure Committee using the contact info at the following link: [www.azleg.gov/CommitteeInfo.asp?Committee\\_ID=21](http://www.azleg.gov/CommitteeInfo.asp?Committee_ID=21)

Or call the Legislature at 1-800-352-8404.

Now is not the time to make changes to a system that works efficiently and cost effectively.

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Read more: [http://azstarnet.com/news/opinion/keep-public-notice-in-newspapers-where-they-ve-proven-effective/article\\_988dd0db-f0c7-5081-900f-ae55b94a292f.html#ixzz119P5msNh](http://azstarnet.com/news/opinion/keep-public-notice-in-newspapers-where-they-ve-proven-effective/article_988dd0db-f0c7-5081-900f-ae55b94a292f.html#ixzz119P5msNh)