

## Oklahoma House committee studies publication of legal notices

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A proposal intended to save counties and cities money would result in less information being provided to the public, the head of a newspaper group told a legislative committee Monday.

### Advertisement

Mark Thomas, executive vice president of the Oklahoma Press Association, said it's best when legal notices are published by an entity outside of government. Newspapers also are better suited to archive notices so people can retrieve them years later and can verify their authenticity through a newspaper's proof of publication, he told members of the House of Representatives General Government Committee.

In addition, newspapers in the state voluntarily have created a free website where actual newspaper pages that contain public notices are digitized and word-searchable, he said. That online site is [www.oklahomanotices.com](http://www.oklahomanotices.com).

Thomas said some requirements on counties to publish legal notices in the paper, such as the listing of surplus property, were the result of the state's county commissioner scandal in the early 1980s. More than 70 sitting commissioners resigned after taking kickbacks from various suppliers.

“We haven't had any major scandal since these reforms were introduced, and we don't think we should be undoing these reforms,” he said. “In the same way that the counties have outside auditors, that's really what this publication is. It's sort of another type of outside auditor.”

Thomas said the rate that newspapers may charge to publish legal notices is a fixed rate approved by the Legislature. The last increase occurred in 2005.

### Tough times

Oklahoma County District 3 Commissioner Ray Vaughn said county and city governments are facing tough times as they have to deal with a smaller budget for the fourth straight year.

“Counties are suffering,” he said.

The requirement for counties to publish certain legal notices should be modified, Vaughn said. Legal notices inform people of zoning changes and tax increases, among other things.

Counties also must publish the minutes from all their meetings.

Vaughan said it cost Oklahoma County about \$40,000 a year to publish the meeting minutes. He said the county minutes are posted on the county's website.

He said minutes from a May meeting of the county commissioners ran 82 pages, with 77 pages dealing with listing equipment that was being disposed of by the county. The cost of running that meeting was about \$4,300, he said.

“It's a shame in my opinion to take a set of minutes that are 80 pages-something long and they don't mean anything to anyone,” Vaughn said.

Vaughn said he doubts newspaper readers go through each legal advertisement or publication of county minutes. He suggested newspapers publish smaller versions and then direct readers to the county's website where the complete listing would be posted.

#### Interim study

Rep. Randy Grau, who conducted the interim study, said he is still gathering information on the issue. Grau, R-Edmond, earlier this year filed a measure that would let counties publish legal notices on newspaper websites instead of in the printed version. The measure, House Bill 1971, passed out of a House committee, but was not taken up on the House floor.

Mary Melon, president and publisher of the Journal Record, an Oklahoma City newspaper, said she is skeptical of the proposal.

“The danger there is that it's taking out that third party, independent perspective that has been so critical,” she said.

Her newspaper along with many others already is putting legal notices on their websites, she said.

“To do away with the printed piece takes away that independence,” Melon said. “You know you can't change something when it's in print. Things can be changed online. Oklahoma County's website has a disclaimer on it that it may or may not be accurate.”

Grau said he liked Vaughn's idea of a hybrid system in which legal notices would appear in an abbreviated form in newspapers and readers could contact the county clerk or the county's website for more information.

“I'm not looking to and I've never tried to completely cut newspapers out of the process,” he said. “Newspapers serve an important function and they always have as far as keeping the public informed and No. 2 acting as a watchdog for government. At the same time, if we at the state level are requiring local governments to continue to do something in a way that hasn't changed since statehood and that's very expensive that's not reaching the number of people that it should, we need to allow them the flexibility to be innovative.”

#### Local information

Roger Thompson, publisher and owner of The Okemah News Leader, said many people in his mostly rural area don't primarily use the computer to search for local information. His newspaper's online subscriptions started declining in 2007 while newspaper sales started going back up in 2009.

“We just don't have that much computer usage that's going on,” he said.

He disagreed with Vaughn's comments that few people read the legal sections in newspapers.

“I guarantee you they do in Okfuskee County, word for word and will show up at the next county commissioner meeting if they disagree,” he said.

“They're concerned about their government. They're concerned about the expenditures of government.”

Read more: <http://newsok.com/oklahoma-house-committee-studies-publication-of-legal-notice/article/3614476#ixzz1bA1ojS8B>