

## Media outlets, state house committee spar over public notice bill; online-only effort passes committee

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By Howard Fischer, Capitol Media Services |

Saying the money can be better used, members of a House panel voted Thursday to let cities and counties put their legal notices online instead of in newspapers.

The 4-2 vote came despite objections from newspaper publishers and their lobbyists who insisted there needs to be independent verification that information is being given to voters.

"I don't believe any government can be trusted enough to police itself," said Jonathan Paton. The former state legislator is now representing Wick Communications publishes 14 newspapers in the state.

But the supporters of HB 2533 were persuaded by the cost to taxpayers.

Dale Wiebusch, lobbyist for the League of Arizona Cities and Towns, presented legislators with a city-by-city list of what 50 of them now spend meeting the current legal requirement to publish their notices. It totaled \$1.8 million a year, even without including Phoenix.

Those figures, however, vary widely, with half of that cost incurred by Mesa. By contrast, the League's figures put the annual price tag for Tucson at \$26,380.

The future of this legislation remains murky, as newspapers have been able to marshal the votes to defeat multiple prior efforts in prior years.

But the tide may be turning in favor of the local government, with the Legislature previously having allowed counties to quit publishing the minutes of their meetings in newspapers in favor of online posting. And Rep. Bob Thorpe, R-Flagstaff, said it's time for Arizona governments to embrace the available technology.

The trade-off, though, could be weakening already financially embattled newspapers.

Manuel Coppola, publisher of the Nogales International, told members of the House Committee on Technology and Infrastructure that public notices comprise 25 percent of his budget. He said losing those revenues would mean the loss of two staffers.

But Rep. David Stevens, R-Sierra Vista, said the problems of newspapers are irrelevant to this discussion.

He noted Coppola's testimony that the paper's circulation was 4,500 a decade ago and now is just 3,000. And that is even with the continuing mandate on local governments to pay newspapers to publish their notices.

"So it doesn't look like that revenue was an issue for declining subscriptions," Stevens told Coppola.

But Rep. Lisa Otondo, D-Yuma, openly worried about the effect of this legislation.

"If would kill our newspaper," she said in voting against the measure. And Otondo said that would ultimately hurt the overall community.

The Arizona Newspapers Association already maintains a web site to post legal notices that its members publish. And Ginger Lamb, publisher of the Arizona Capitol Times, said her own weekly paper also puts its legal notices online, saying the web site gets 1.5 million hits a year.

Stevens noted, though, the print circulation is only 5,500.

"You're kind of making our point that the digital stuff is easier access and more accessible than the print," he said.

"Not everybody's online," Lamb responded.

But Rep. David Gowan, R-Sierra Vista, said even those who do not have internet access at home can go to public libraries to access the information.

The bottom-line argument of the newspapers, though, is their independence from the government.

"You are trusting government to police itself on that issue" of giving people the notice of its activities, Paton said. "That's ultimately one of the most disturbing parts of the bill."

He said government may have "a vested interest in not providing public notice on a given issue."

Gowan said all that is hiding what's really at issue.

"The bottom line here is we're talking revenue loss," he said.

"Why should we be subsidizing a private entity when we have all this," Gowan said. "The internet is here now. Let's not reinvent the wheel."

The measure still needs review and approval by the House Government Committee before going to the full House.

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