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OUR VIEW: Legal notices shine needed light on government

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A farmer would be horrified over the notion of an Arizona coyote being assigned to watch over his chicken coop. Arizonans should be worried that some public officials think they should be responsible for watching over themselves.

For more than 100 years Arizona newspapers have been publishing paid public notices. Very little public action can be taken without a paper trail — a newspaper trail.



Legislation is now winding its way through the Arizona Legislature to end that practice.

Public notice laws were created to notify the public of government actions that may affect their interest or rights. By being required to publish certain government activities in a general interest newspaper means it is difficult for government to hide what it is doing.

Proponents of HB 2533 want to replace newspaper notices with a posting on a government website. They say that no one reads the newspaper. They wish. We admit huge paid circulation newspapers certainly have seen circulation numbers plummet in the past decade. The Dallas Morning News and the Los Angeles Times are both about half of the paid circulation of a few years ago.

But most public notices are published with community newspapers. And community newspapers are still very widely read. Recent national research shows 86 percent of adults read a community newspaper each week. That same research shows local newspapers continue to be the primary source of local news by a margin of more than 5 to 1 over the Internet.

Besides that, every public notice that goes in newspapers also goes on a public notice website hosted by the Arizona Newspaper Association. And they are uploaded to the newspaper's website. And newspaper websites are always among the most viewed websites in communities.

A government website might as well be under a rock. How often has the average Arizonan gone to a government website to find out anything other than when the trash is picked up or to pay a water bill? These sites have a fraction of the traffic of a typical newspaper website.

Under this change, to learn the contents of a public notice means someone actually has to go to a government website to specifically search for what government is doing. We are sure that is how most of us want to spend our weekends. A newspaper is about scanning for something of interest. And sometimes that means people see a public notice that can impact them even when they were not specifically looking for it.

So why have Rep. David Stevens, R-Sierra Vista, and, more recently, Rep. Warren Peterson, R-Gilbert, been so keen on taking public notices out of newspapers? Well, one reason is that they are being pressured by the bureaucrats in county and city governments to allow them to cease newspaper publication and post public notices on their websites — purportedly to save money.

The league of cities recently provided information to a legislative committee that said public notice costs for Arizona cities totaled \$1.8 million. This is false. The real number is \$585,000.

Why did false information get presented to a legislative committee? You decide.

The detail provided to the legislative committee showed \$943,000 was paid by the city of Mesa and the balance was paid by every other city in the state. Doesn't that seem a little strange? That is because it is false information. The actual number for the City of Mesa was about \$55,000. Apparently whoever pulled the information to provide it to the Legislature looked at the city's "legal costs," which is what the city pays lawyers and others to defend or proceed with legal actions. Those costs have nothing to do with publishing public notices in newspapers. But the much larger legal cost number was included to virtually triple the real number.

Is this an example of hack politics behind the idea of hiding city and county government activities from the public? Or is it just an example of a lack of competence at the local government level that a number would be provided to legislators that is 3 to 1 overstated?

We oppose this legislation. We oppose it not because we don't trust state government or the Legislature. We know they are watched pretty close and the media comes down hard and fast when they step into anything that smacks of questionable ethical or legal activity. These are also the best and brightest — and most honest — politicians in the state.

We oppose it because of some unprofessional people we have seen over the decades in county and city government leadership positions that often wield their power or influence for their own gain or for the gain of cronies. We cringe at the idea that they will be responsible for posting what they are doing on a website that few will see. They too easily can say "we forgot" or that something was reported late because it was an oversight. Or, if no one is watching closely, they can say nothing at all.

Ask your legislator in the Arizona House of Representatives to continue to allow private enterprise to provide a valuable public service instead of putting coyotes in charge of the hen house. Tell them you want public notices to continue to be required to be published in newspapers. Tell them you want them to vote no on HB 2533. In fact, tell them to vote no on anything that lets public officials hide what they are doing. No good can come of it.

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