



Franklin Rep. Roy pushes for online public notices

By **Matt Tota/Daily News staff**

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State Rep. Jeffrey Roy, D-Franklin, has drafted legislation that would authorize municipalities to post public notices online rather than having to pay the local newspaper to publish them.

Roy last week testified before the House Joint Committee on the Judiciary, arguing that his bill would increase transparency and help "cash-strapped" cities and towns save money.

Also testifying at the hearing were newspaper publisher executives who oppose the legislation. Newspapers, they say, "play a unique and time-tested role in publishing public notice advertising, and "to remove these ads from newspapers would be to undermine accountability, reduce transparency and weaken the economy."

In an interview Wednesday, Roy said that his decision to bring the bill forward stems in large part from his days on the Franklin Town Council and conversations related to the yearly allocation of money for advertising. In fiscal year 2013, the town spent \$25,195 on advertising, which mostly includes public notices.

Other states have tried and failed to pass similar bills, he said, mainly in response to the state of the newspaper industry.

In general, he said, newspapers are too expensive for people to purchase. "People simply can't afford to buy them anymore," Roy said. "At \$1.50 for an average daily paper, it's become too costly for many (people)."

Moreover, Roy cited a 2012 Pew Research Center study that showed a decline in the number of Americans who get their news in print and an increase in the amount that read the news online.

"The bottom line is that print newspapers no longer provide the reach into most households in a community as they did several decades ago," Roy said.

According to the bill, whenever "a government agency or an individual is required by law to publish a public notice in a newspaper or newspaper of general circulation," the agency or individual may instead opt to publish on an "official government notice website."

The bill gives cities and towns the power to choose which route they want to take to get the notice out to the public depending on their circumstances.

Under Roy's bill, however, the notice website must meet certain standards, including being accessible at least 90 percent of the time, 24 hours a day, throughout the year.

The municipality's official website must display prominently a link to the notice webpage, which itself would contain links to the full text of the notices. If a citizen cannot access the link to the notice, the town will have to have free printed copies available.

The municipality also has to keep a record reflecting the date that it posted the notice.

Among other critics of the bill, the Massachusetts Newspaper Publishers Association (MNPA) has met with Roy to voice its opposition.

Robert Ambrogi, an attorney representing the MNPA, said in a telephone interview Wednesday that allowing cities and towns to post their public notices on their own websites could hinder, rather than promote, transparency.

Only a neutral, independent party should have the authority to publish public notices, Ambrogi said. By granting government officials the option to control when and how their notices go out to the public, he said, "You open up the possibility of tampering or wrongdoing. There have been examples from other states where the government has tampered with websites that publish these notices."

The MNPA is, at the same time, concerned about the people without access to the Internet or those who may not be as computer-literate, Ambrogi said.

"We think it is important that notices be available in print," he said. "There remains significant portions of our population who are not using the Internet at all or who are not as savvy. The idea of asking them to search through hundreds or thousands of government websites in order to be made aware of what's going on in their community – we just aren't there yet."

With the newspaper industry already reeling due to a decline in print advertising, the bill could strip away a dedicated source of revenue that many smaller papers rely on, Ambrogi said.

"For some of the smaller newspapers in the state, losing public notice advertising would be yet another blow," he said. "We'd hate to see more jobs get lost because of this."

But Roy, who has received support from many legislators, including state Rep. John Fernandes, D-Milford, said the bill does not aim to hurt the industry.

"I am certainly open to further suggestions as to how we can improve access to information," he said. "After all, that is the intention of this bill. I am interested in working with the newspaper industry on this issue. For the record, I am a former newspaper person myself and a great supporter of the fourth estate."

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