

Changes to public notices laws up for debate

Attempts to change the way local governments in Virginia notify citizens about meetings and other actions are stirring debate.

Lawmakers introduced eight bills during the current session of the General Assembly that would shift some public notices about meetings, public hearings, procurement and other actions from print publications to websites and other places.

Local government groups say the changes would help them save money.

But the proposals face opposition from a statewide association of newspapers and several other voter and watchdog organizations who argue the measures would limit the flow of information about government actions to a significant portion of the population.

One of the bills, introduced by Del. R. Steven Landes, R-Augusta, would make it optional for local governments to publish legal ads or notices of proposed actions in a local newspaper of general circulation.

Instead, local governments could choose two methods of publicizing notices from among several options, including placing them in a local newspaper, on the locality's website, or on a public access channel operated by the locality; using an automated voice or text alert system; or posting notices at a local public library.

"We need to keep up with the times, so to speak," Landes said.

The legislation, he said, would give local governments more options to reach the most people as reading habits shift toward digital media.

Landes introduced a similar bill in the 2011 session that failed to advance from committee. This year, the bill has been assigned to the same committee — the House Committee on Counties, Cities and Towns. It is expected to be heard in a subcommittee Thursday.

The Virginia Press Association, an organization of more than 200 newspapers statewide, opposes Landes' bill and others like it, arguing that even though digital media have become more prevalent, many people and small businesses still rely on public notices in print media for information about their local government's actions.

"I think there is a misconception among some members of the General Assembly that everyone is connected to the Internet, and that large numbers of citizens go to government websites to get information," said Ginger Stanley, executive director of the Virginia Press Association.

The League of Women Voters, the Virginia Coalition for Open Government, the Associated General Contractors of Virginia and the Virginia Society of Professional Engineers also have opposed other bills being considered.

Last year, the press association commissioned a survey of 500 Virginians in which 72 percent said they have not gone to a government website to read public notices. More than 60 percent of the survey respondents also said they would read public notices less frequently if they appeared on government websites, rather than in general circulation newspapers.

The bills have not fared well so far this session. Three have failed or been amended in committee.

One bill, introduced by Del. Ron Villanueva, R-Virginia Beach, failed to advance from a House general laws subcommittee last Thursday. None of the subcommittee members made a motion to take action on it.

Villanueva's bill sought to require localities to post procurement notices — bid requests for various government contracts — on the state's Department of General Services' central electronic

procurement website. It would make it optional for local governments to publish those notices in a local newspaper.

Stanley, from the press association, argued that having government requests for proposals in local newspapers serves the important function of keeping local residents informed.

"Government transparency is important to all of us," Stanley said. "RFPs are full of valuable information about proposed changes in the community," such as building and road projects.

Organizations such as the Virginia Municipal League argue that changing the public notice requirements would help cash-strapped localities save money on advertising costs.

An estimate of how much money local governments would save was not available, though a legislative counsel for the Virginia Municipal League said it would likely be significant.

"Local governments are looking everywhere they can to save money if possible," said Randy Cook, legislative counsel for the municipal league. "We feel like the decision to post an ad on the website, or a procurement notice on the (state procurement website), or whether to put it in a newspaper could be a local decision, and the localities will make the right decision."

Villanueva told the subcommittee that Virginia Beach would save about \$600,000 a year out of its \$1.6 billion budget by putting procurement notices online.

Another bill introduced by Sen. Ralph K. Smith, R-Botetourt, would allow localities to publicize legal notices on their websites or on radio and television instead of in a newspaper of general circulation. That bill is expected to be heard Tuesday in the Senate's committee on local government.

An identical bill introduced in the House by Del. Christopher T. Head, R-Roanoke, was tabled in a subcommittee Jan. 25.

