

AZ Capitol Times, Mandate for printed public notices debated (2.2.12)

A bill awaiting action in the Arizona House would allow local governments, businesses and other entities to post required public notices on the Internet instead of printing them in newspapers in towns and cities around the state.

As in other states, it's a proposal that pits the interests of newspaper publishers against cost-cutting desires of government officials amid debate about what best serves the public and its right to know in the digital age.

State law includes hundreds of publication requirements for public notices dealing with subjects ranging from city budgets and crime victim accounts to forfeitures and liens.

A House committee chaired by Rep. David Stevens held its second hearing on the Sierra Vista Republican's bill Thursday. Stevens said there won't be a vote for at least another week so that all viewpoints are heard.

Similar proposals to scrap the print mandate have been offered in the Legislature for years amid increasing Internet use, but they proved to be controversial and resulted in only modest changes.

Stevens, a defense contractor, said he's trying to center the debate this year on technology and what it bodes for the future, not cost considerations.

"Life moves on. If you don't move with it, you get run over by it," he said. "At some point what you have in your hand isn't going to be there anymore. Either get ahead of it and direct the discussion and the path, or you follow what's laid out for you."

But monetary motivations were up front and center as another House committee Thursday approved a related bill dealing with one specific regulation for public notices.

That bill would lift a requirement that law enforcement agencies post a notice in a newspaper before disposing unclaimed property. Instead, there'd be an option for an online posting.

"The newspapers are strongly opposing this because it means the taxpayers aren't going to subsidize their industry," said Rep. Eddie Farnsworth. The Gilbert Republican said law enforcement agencies drafted his bill.

Rep. Tom Chabin, a Flagstaff Democrat who voted against the bill, said government should be required to use newspapers to post notices because they're a source independent of government.

Rep. Albert Hale, a St. Michaels Democrat, said sometimes newspapers are the only option in rural areas and reservations.

“You’re leaving all of these folks out of the right that they have to notice,” Hale said.

Supporters of Stevens’ bill include groups representing county officials and fire districts, cities such as Prescott and Tempe and the managing editor of online sites.

Opponents include the Arizona Newspapers Association as well as newspaper groups and individual newspapers across the state.

Ginger Lamb, publisher of the Arizona Capitol Times, said newspapers already provide “the best of both worlds” by printing public notices and also posting them on both individual newspapers’ sites and an aggregate site for the entire state.

“The current system works,” Lamb said.

Newspaper association lobbyist John Moody said print publication puts public notices in the same newspapers that local residents read for news. “They’re all centralized in the local newspaper for that community,” he said.

But Rep. Justin Pierce, R-Mesa, questioned whether average readers actually see printed notices.

The notices typically are clumped together in back of paper, Pierce said. “I don’t see them next to a news story very often.”

Moody said newspapers’ motivation in fighting for continued print publication is ensuring transparency and accountability of government. “They take this responsibility very seriously,” he said.

Lynne LaMaster, who runs online news sites in the Prescott area, said online publication is more cost effective for government.

“You don’t have ink. You don’t have paper. You don’t have distribution issues when things are online,” she said.