

Public notices should be kept where public can find them (1.26.12)

Jan 22-28 is Public Notice Week 2012. There won't be any flag waving, and there won't be any parades, but there should be. Public Notice Week is about the public's right to know what its government is doing, protecting due process and promoting public trust. Efforts to restrict access to legally required public notices erode the underpinnings of democracy and open government.

A variety of state laws require public notices be given for many actions of state and local government, posting of legal notices that affect personal rights, property rights, financial disclosures, public bid notifications and a host of other government and legal actions. Public notices typically are required to be posted in newspapers of record, often in multiple locations and generally on more than one occasion. These laws are an expression of the public's right to know.

Unfortunately, there are regular attempts by lawmakers to weaken public notice laws. Last year, there was an attempt to allow some public notices to be moved to state websites. This year, a bill has been introduced that would modify the public notice requirement when the General Assembly conducts periodic reviews of state agencies to determine whether they should continue or be allowed to die. The public must be allowed to comment at such hearings. Current law requires public notices of the hearings to be run in five population centers in the state. State Sen. Mike Bell, R-Riceville, introduced a bill to eliminate that method of notification and to move it to a website in the state comptroller's office.

Public notices are published nearly every day in The Jackson Sun, and they also are made available on the Sun's website. Certainly, that generates revenue for the newspaper. But it also means thousands of eyes will have an opportunity to see them, pass them on, notify interested friends or act on them in ways such as attending a meeting or contacting a public official. Posting the notices on obscure government websites essentially would hide them from widespread public view. How would anyone know when or where to look?

Here are some other points to consider:

- Public notices have been posted in newspapers since 1789 because newspapers are independent of government and readily accessible.
- Seventy percent of adults regularly read newspapers or consult newspaper websites.
- Moving public notices to government websites leaves out a sizeable segment of the community that doesn't have Internet access or that doesn't use computers.
- More than a third of Tennessee households, and especially senior citizens, cannot do complex web searches because they do not have high speed Internet access.

- Only 29 percent of households in a 2011 Connected Tennessee survey reported interacting with local government websites or elected officials.

One thing is clear. Public notices need to be kept where the public easily can access them.

—Jackson Sun