

Miami, Siding with newspapers, House kills moving foreclosure notices to web, (1.31.12)

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A House panel on Tuesday voted down a Republican-backed push to move legal notices of foreclosures from newspapers to the web.

In lengthy debate on HB 149/SB 230, a majority of lawmakers ultimately sided with opponents that include former Lt. Gov. Jeff Kottkamp, representing Keep the Public Noticed Coalition, and the Florida Press Association, a trade group whose members include the Tampa Bay Times and Miami Herald. The vote was 9-5.

Supporters of the idea praised it as forward-thinking as newspaper readership declines. But a few members explained their no vote by citing elderly populations back home who may not be comfortable using the Internet or computers.

"In Tampa we have a very sizeable elderly Latin population who I'm quite certain don't have access to computers like many of us do, and they rely on some of our smaller papers to get all of their information," said Rep. Shawn Harrison, R-Temple Terrace. "And I think this being the last bastion of protection for some of those populations, I just can't support it in good conscience. I just don't think we're there yet."

"We should be aiming to cast the widest net possible," said Kottkamp, who added newspapers put the information online for free.

Legal notices are published in newspapers each year in tiny type en masse, a step required by law before a lender can foreclose on a home. It's been this way since 1941. The bill, sponsored by Rep. Dennis Baxley, R-Ocala, would have allowed county clerks to decide whether to publish these notices on a website rather than the newspaper. It provided requirements for bidding and contract with the vendor that would maintain the site.

"You have created a monopoly that has served that industry very well," said Tallahassee lobbyist Pete Dunbar. He said 20 percent of Floridians buy and read a daily newspaper, "so electronic today is an option that is viable."

"This notion that the Internet is somehow not an acceptable form of communication I think went out of style with the Backstreet Boys in about 1995," said Rep. Matt Gaetz, R-Fort Walton Beach.

Specifically, a plaintiff in a foreclosure case may have to publish a legal notice if a defendant "cannot be found for personal service" or to give notice of a sale, according to a committee analysis. Local newspapers who rely on these notices for revenue would lose out, but "foreclosing parties" would save big.

Groups opposing the bill include Florida TaxWatch and Associated Industries of Florida. The county clerks association is neutral.

"If it was going to save money for the state, TaxWatch would be the first ones supporting it," said Jack Cory, who lobbies for the Daily Business Review publications in South Florida.

As several Republicans indicated they would not vote for the bill, Baxley plead for them to vote it out of its first committee so other members could weigh in.

"They're (newspaper lobbyists) up here protecting their interests. I'm trying to show you the future," he said. "We're all trying to go paperless in our own offices, and we won't let the local clerk?"

Read more here: <http://miamiherald.typepad.com/nakedpolitics/2012/01/siding-with-newspapers-house-kills-moving-foreclosure-notices-to-web-.html#storylink=cpy>