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Editorial: Heads-up for taxpayers

Citizens are short-changed when government makes public notices harder to access



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7:01 p.m. EST, January 16, 2013

Saving taxpayer money in these difficult times is a laudable goal for local governments — except when it restricts the public's right to know what those governments are up to.

Some governments use economics to cover up the truth by charging outrageous amounts to copy documents that by law should be open to the public. The latest attempt, which begins anew today in the General Assembly, is to free local governments from the requirement that they must print public notices about planned government actions, such as rezoning the lot next door to your home. Several bills pending in the General Assembly would instead allow localities to bury these important public notices on their websites.

Public notices are formal announcements that by law must be published as paid advertisements in paid-circulation newspapers, whose availability to the general public is documented. We acknowledge that there is a small financial benefit to newspapers to that arrangement. But public notice revenue is negligible for all but the smallest of weeklies, and newspapers bear real printing costs in running them. The real reason for this initiative, led by several Republican legislators, is to keep taxpayers in the dark about the public's business. If it were economic, these stalwart legislators would be trying to save the millions our local governments spend on propaganda that is *not* required by law.

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Here's an example: **Newport News**, whose budget is just under \$750 million, spent \$63,223 in legal notices last year. But the city spent more than \$700,000 in advertising to support various ventures, not one penny of which was required by the public notice law. That doesn't count the \$49,000 the city spends on its own website, and the more than \$400,000 it spends on a cable channel that has no rated audience.

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There must have been a lot of rezoning and other legal issues in Hampton last year because the city, with a budget \$428 million, spent more than \$145,000 on legal notices. But to put that in perspective, it's far less than the city spends to pay its public relations staff. It's significantly less than the \$594,000 the city spent on advertising that was *not* legally required, or the \$200,000 spent on its cable channel, whose audience size is not audited, or the \$47,000 spent on its website.

All told, the Daily Press recently reported, Peninsula localities spend \$5.5 million on marketing and outreach efforts that are not required by law, and whose audience is not quantifiable. The Virginia Press Association reports that only about one-half of one percent of local governments' operating expenses is spent on statutorily required public notices.

So it's hard to avoid the conclusion that legislators are pushing this agenda not because it will save taxpayers money, but because it will make it harder for citizens to know what's going on, while giving the Bronx cheer to those pesky newspapers who spend so much time holding governments and legislators accountable for their actions.

If these bills pass, taxpayers will have to slog through their local governments' websites to search for notices about meetings, elections, zoning changes, tax sales, foreclosures, licenses,

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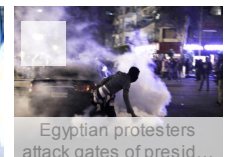
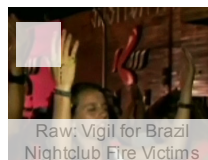
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permits, lawsuits, requests for proposals, abandoned property and other public business.

The problem is that not all taxpayers have online access. According to statistics gathered by the Virginia Press Association, 57 percent of adults over age 65, 52 percent of Hispanic Americans and 49 percent of black Americans do not use the Internet. In a recent survey by the National Newspaper Association, 75 percent of respondents said they read public notices in their local newspapers, while 66 percent said they have never visited a local government website.

If legislators are hell-bent on punishing their local newspapers, they could change the law to require that governments buy television or radio spots in sufficient quantity to reach the majority of voters. But given the relatively small number of people tuned into any channel at any given time, that would cost a lot more than printing a legal notice in the local paper. Public notices belong in impartial media that offer audited proof that they reach the largest number of average citizens. Currently, that happens to be newspapers.

We urge **Hampton Roads** lawmakers to oppose legislation that would bury public notices on government-controlled websites. If you agree, contact your senators and delegates and tell them you don't want to be left in the dark.

Our nation was established on principles of free press and government accountability. Allowing governments to self-regulate their public notices is a step backwards for democracy.

Contact your representatives

Del. Mamye BaCote (D) - DelMBaCote@house.virginia.gov

95th District: parts of Hampton, Newport News

Phone: 804-698-1095

Del. Gordon Helsel (R) - DelGHelsel@house.virginia.gov

91st District: includes Poquoson; parts of Hampton, **York County**

Phone: 757-969-9036

Del. Brenda Pogge (R) - DelBPogge@house.virginia.gov

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