

LINCOLN—Nebraska newspaper publishers and owners testified against a legislative bill here Wednesday that could potentially push public meeting notices out of newspapers and onto the Internet.

The seven representatives with newspapers from Omaha to Benkelman testified before the Nebraska Legislature's Government, Military and Veteran Affairs Committee on LB444.

The bill, introduced by Sen. Bill Avery of Lincoln, would allow city, county and other public bodies to publish their meeting notices online rather than in newspapers.

According to existing state statute, "Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each public body and recorded in its minutes."

Generally this means organizations will place a short notice in the local newspaper and post a paper copy of the agenda in the city hall, county courthouse or other public building.

The proposal Avery introduced late Wednesday afternoon would add to the existing statute the following language: "Methods of providing such notice shall include, but not be limited to, publication in a newspaper of general circulation, posting on the public body's website, or posting in a public building in the community."

Throughout the hearing, there was confusion among both the eight members of the committee and members of the audience regarding the interpretation of the proposed language.

Larry Dix, executive director of the Nebraska Association of County Officials, was the lone supporter of the bill who spoke in favor of allowing counties to post emergency meeting notices and other meeting notices on their government websites.

"If some piece of equipment breaks down and we only have a board meeting once a month and it's not on the agenda, we have to wait a month," he said. "And many times those don't meet the level of emergency but they're things we need to talk about. Therefore we want to have latitude to talk about these kinds of requirements."

When questioned, Dix said some counties already post meeting notices on their websites; however, the Nebraska Legislature has never given them the express permission to do so.

"From a county government perspective, counties are sort of a creation of the state and we only have the authorities that the Legislature gives us and counties are looking to publish on their websites," he said. "We see this as a clarification of existing law."

Sen. Charlie Janssen of Fremont asked about the specific wording of the proposed change and what exactly it meant.

"So you have to put it in paper and on website according to this language," Janssen questioned.

"I don't read it that way," Dix retorted.

Janssen replied by saying that if a tractor breaks down and the county board needs to talk about it, that a meeting notice could be nailed to a post in town and then they could have the meeting.

Sen. Scott Price of Bellevue said he believed that the proposed language gave public groups an additional option for meeting postings.

"We're saying this gives us another option and gives us option to do some of the things we're doing today," Dix replied.

Sen. Paul Schumacher of Columbus said that this proposal would allow a county to replace the posting in the "pulp newspaper" with a posting on the Internet.

Dix also reminded the committee that this proposal would only affect public meeting notices and not the minutes, claims and other information that must be published in a newspaper.

"And I just came from a hearing down the hall that wiped out state aid to counties and some of the comments were that, 'If you have an idea of something that would help, bring it forward.' This is something that would help," he said. "We're bringing it forward. With that, I would more than stress we're not trying to do this to harm a newspaper. We're trying to do this to help notify the public of our meetings."

Throughout the hearing, Sen. Schumacher asked different publishers how much they charge for the short meeting notices.

The average was \$4-6 per legal notice and most boards and commissions meet once or twice a month or less. Some groups only meet at certain times a year or quarterly.

Brook Curtiss, owner of the Plainview News in northeast Nebraska, said his newspaper is one of three in one county. The three newspapers each publish the legal notices for the one price and split it among the three papers. In some cases that may mean the \$5 for the ad is split with each paper only getting about \$1.25.

"With the meeting notices, since I get only one-third of income, it wouldn't be much money," he said.

It wasn't the money so much as it was the public's right to know that the publishers defined as their reason for protesting against the proposed legislation.

"The entire notion of public notices was built on the reliability and accountability of newspapers," Curtiss said.

"Once you print it, it's there forever," he said. "It cannot be changed. It cannot be updated with a timestamp."

Curtiss, 30, said he is a child of the Internet age, yet he has come to know that everything on the Internet is not fact and things can be changed easily.

Additionally, Curtiss said of his 1,200 subscribers, he only had 15 over a period of six months who expressed an interest in subscribing to the online edition of his weekly paper.

Jason Frederick, another young owner with three weekly papers in southwest Nebraska, said he knows the Internet isn't readily available to many or widely used by his readers.

"I want to stress if legal notices are moved from newspapers and put on the Web — my grandmother, my mother-in-law and aunt, they don't have computers and aren't on the Internet — you will take away these citizens' rights and abilities to stay informed on what their representatives are doing," he said.

According to the "Internet Connectivity and Use in Nebraska" study conducted the University of Nebraska-Lincoln, 44 percent of central Nebraskans are without access to broadband Internet and many of them don't have Internet at all.

If public notices and/or other public documents are moved completely online, Frederick said many Nebraskans would lose access to this vital information.

"Are you going to count these people out? I don't find it prudent or responsible," he said.

Barry Richards, a farmer from Hayes Center, said he gets all his news from the newspaper and doesn't even know how to use the Internet.

"I just want to bring the human side to it," he said. "I live to read the paper and I dictate my week by it. The paper tells me if something is going on in town, at school or in McCook."

Larry King, vice president of news and content for The Omaha World-Herald, also testified against the bill, saying that newspapers are the best source for local information in any community from Omaha to Hemingford.

“Newspapers are an independent entity separate from government that serve as a watchdog and allow people to also be watchdogs independent of the government,” he said. “I just think the newspaper is the best source, most credible and best for people to find it instead of a government website.”

King said he believed the proposed legislation was confusing and that he was satisfied with the current laws regarding the posting of meeting notices.

“I don’t understand reason for this legislation and I think it’s confusing and the options on where government entities can post adds confusion and doesn’t help the public find the information. It would scatter it,” he said.

The committee will meet in a closed session meeting before releasing a final decision on the bill sometime during the session. The committee’s options are to forward it to the full Legislature, table it or vote to not forward it to the full Legislature.