

Michael Beck  
Bangor  
LD 422

Honorable Members of the State and Local Government Committee,

I believe local government should meet the people where they are and keep them informed about public proceedings and legal matters. This is one of the key reasons for requiring municipalities for printing notices in the local newspaper in the past. As time has marched on, less and less people read the local newspaper in printed form. On the Internet, news sites that curate collections of stories from various publications on behalf of users. This has reduced the likelihood that readers would visit a publication's website, further eliminating the chance that they would actually see public notices.

I applaud the aim behind this bill as it attempts to modernize a government function while simultaneously saving money for municipalities. The time is right for such a bill as LD 422. But this bill needs a little further work.

This bill, as written, is missing some key language.

First, I would include language that stipulates that municipalities that choose to post notices on their website, must place it on a page titled, "Public Notices", with link to that page that is accessible from the home page of the municipality's website. Otherwise, these notices could be buried on random pages with little likelihood of an average citizen finding it.

If the bill is left as-is, a municipality could put notices on a page such as [BangorMaine.gov/PubNotices](http://BangorMaine.gov/PubNotices), but not link it to their main home page. This law, as written, simply states it has to be placed on its publicly accessible website. It does not specify how a user should actually find the notice. In this scenario, a user would have to enter that specific URL directly into their browser to be able to see it. Publicly accessible? Yes. Part of the municipality's website? Yes. Easily found by the public? No.

If you choose not to require a specific title for municipalities to use for a public notices page, you could follow the lead of the U.S. Treasury. In the American Rescue Plan Act, the Treasury required Tier 1 recipients of funds to make their recovery plans publicly accessible on their website. In their document, "Compliance and Reporting Guidance" for State and Local Fiscal Recovery Funds (September 20, 2022 version), they wrote on page 34, "Each Recovery Plan must be posted on an easily discoverable webpage on the public-facing website of the recipient by the same date the recipient submits the report to Treasury. Treasury recommends that Recovery Plans be accessible within three clicks or fewer from the homepage of the recipient's website."

I highly recommend adding language about specific placement on a municipality's website, or the number of clicks required from the home page to access the notice, to close that potential loophole.

Second, I would suggest adding language that governs how long the notice must remain online. With newspapers the law appears to leave it in the hands of the publication. Publications such as the Bangor Daily News utilize a service called [MaineNotices.com](http://MaineNotices.com), and their archives go back years.

I would suggest adding language that requires municipalities to keep an archive of all previous notices rather than splitting hairs over how many days to keep a notice active.

I am in favor of the spirit of this law. But without these potential loopholes closed, too many notices might not have the opportunity to be noticed by the public.

I appreciate the opportunity to provide testimony to this committee about LD 422.

Sincerely,  
Michael Beck  
Bangor