



**MAINE PRESS ASSOCIATION**  
On the record since 1864

Mar 2, 2023

Good Afternoon Senator Nangle, Representative Stover and esteemed members of the Committee on State and Local Government.

Did you know that the town of Northport is accepting bids for fuel oil for the 2023-2024 heating season, and that spec sheets may be obtained at the town office? I'm a Northport resident and I didn't either. I learned about it in the Republican Journal.

Did you know that Washington County Community College is seeking bids to replace an EPDM roof on campus? If you're interested, you should contact Ashley MacDonald at 454-1023. I didn't know about that either. I learned about it in the Calais Advertiser.

My name is Jo Easton and I am testifying on behalf of the Maine Press Association (MPA) board of directors and as Audience Director of the Bangor Daily News in opposition to LD 422. The Maine Press Association represents all daily and most weekly newspapers throughout the state, as well as a handful of digital-only newsrooms.

\*\*

In 1789 in the very first acts of the first session of the U.S. Congress, the Secretary of State was required to publish all "bills, orders, resolutions and congressional votes" in at least three publicly available newspapers. This was the first public notice requirement in the United States, which together with open meeting laws and FOIA (or FOAA in Maine) regulations provide for government transparency, which the free press can then report and publish for the public benefit.

As I'm sure you will agree, a public notice is an essential element of government transparency. Newspapers, reaching readers through print, websites, newsletters and mobile apps, continue to be the best medium to notify the public about official matters given their accessibility, independence, verifiability and archivability – never mind that because we are accountable to our readers, we must maintain consistency of quality.

Collectively, we offer the "first rough draft of history" and public notices are a part of that story.

In addition to our distribution channels, newspapers also connect readers to public notices, both in print and online, through an MPA-member supported site, [mainenotices.com](http://mainenotices.com). This online source lists public notices from all over the state and had about 138,000 pageviews in 2022 from all across the state and beyond. It is the most centralized and active source for Maine-based public notices in our state. The current system works. This bill would move business away from a well-established, functioning private industry, and divert it to a multitude of government entities with no established system or track record for municipal accountability, and for many of our smaller towns, often limited resources to maintain quality and accessibility. Placing notices on government websites is a government solution to a problem that doesn't exist.

Mainers whose work, home or family lives are affected by the content of public notices need to have a reasonable opportunity to find them – and not just because they know where to look on a specific municipality’s website. Most newspapers cover more than one town, and most citizens’ interests do too. Even as government representatives, how many of you regularly check the websites of the towns you live and work in? How many of those websites meet the quality standards you would expect as a basic function of democracy? How many municipalities have the resources and skills to provide this service consistently and accessibly?

The proposed bill allows municipalities to satisfy the public notice requirement by electronic posting on a county or other municipal website. Eliminating publication in newspapers would not only reduce the reach of every online posting, but make notices inaccessible to citizens who do not have ready access to the internet. Removing notices from print especially disenfranchises rural, low-income, minority and older residents who are less likely to have internet access. Even as we work hard in Maine to expand broadband access, we are not there yet and as you know broadband take rates vary greatly across the state. We have a long way to go until digital inclusion is a non issue.

Not everyone is online, but everyone deserves to know what is happening in their communities.

Those often older offline readers are not only loyal to their newspaper but frequently more engaged in civic life – if only they have the chance. As we at the Bangor Daily News have recently discovered, nonagenarians can get quite disappointed when the print paper fails to provide them with the information they need – when it comes to arts happenings in town they have told us in no uncertain terms that online only is insufficient. I would hesitate to cross them.

The combination of online and offline posting allows maximum exposure and, we would argue – more notice is better notice.

\*\*

In addition to transparency and accessibility, we argue that notices must be published by organizations independent of the government body or corporation whose plans or actions are subject to the notice.

Government posting of a government notice on a government website removes third-party neutrality. It puts the fox in charge of the henhouse. Why would we, every one of us in this room, Mainers who care about the prospects of our neighbors and our communities, want to do that?

Removing newspapers from the process would eliminate an independent voice enshrined in the Bill of Rights that ensures the Government is acting in a manner that serves the public interest. The free press might not be a government entity, but it is, along with all its flaws, a collection of entities that protects our democracy. I would be remiss if I did not also remind you that the revenue earned by the placement of public notices in our member newspapers is crucial to the ongoing functioning of our newsrooms, our ability to serve Maine communities, and to protect Maine jobs.

The Maine Press Association strongly opposes LD 422 and we respectfully ask that the committee oppose it as well. Thank you for the opportunity to share our experience and our concerns.