



Morning Sentinel

KENNEBEC JOURNAL

Sen. Nangle, Rep. Stover, members of the Joint Standing Committee on State and Local Government, my name is Judith Meyer and I am editor of the Sun Journal, the Kennebec Journal, the Morning Sentinel and six weekly newspapers in western Maine.

I am here today on to speak in opposition to LD 422, An Act to Eliminate the Requirement That Municipalities Provide Public Notice in Newspapers.

* * *

You will hear from others today about the business side of Maine newspapers, but I am here in my role as a longtime advocate of public access and the role our newspapers play in upholding full and fair access for our readers. In my work as vice president of the Maine Freedom of Information Coalition and my service on the legislative Right to Know Advisory Committee for nearly 20 years, I have seen firsthand how vital public access is to people seeking information to make the best decisions they can for their families and their communities.

The public relies on legal notices to know when public hearings – and many other things – are scheduled before our municipal boards.

This week, in the Kennebec Journal, is a public notice about a Board of Appeals meeting tonight in Readfield to hear residents' claim that the code enforcement officer made a mistake when he issued two permits to owners of a house in their neighborhood.

Is this information everyone in town cares about? Probably not, but many may be intensely interested in not just the hearing, but hearing about the code enforcement officer's actions.

Notice of this meeting appeared in the newspaper, but is not listed anywhere on the town's site. But, even if it was on the digital calendar, internet service in Readfield is so poor that the board of selectmen established a Broadband Internet Committee in 2021 to work on a plan to get service to all residents. At the start of this year that committee was still gathering proposals for fiber optic installation and is years away from seeing widespread availability.

That's just one example, but it wouldn't be hard to find similar examples in many if not most of Maine's rural towns.

The bill before you wrongly assumes that every Mainer has access to the internet and that everyone has the skillset to navigate the web. They don't, and far from it.

Maine's default assumption is that 85,000 households do not have access to internet of any kind. That assumption is based on data so incomplete that officials at the highest levels within the Federal Communications Commission acknowledge they really don't even know how many Americans have access to the internet because mapping data is so inaccurate.

We know with certainty that there are thousands upon thousands of Mainers without online access, and even though tens of millions of dollars in broadband assistance has been pledged by federal and state governments in recent years, the infrastructure still does not exist to support widespread access.

Please see: www.sunjournal.com/2021/03/14/no-internet-the-high-cost-of-connecting-maine/

Any move to push legal notices online as the sole access option disenfranchises an untold number of people. And, we can be sure that the highest number of the disenfranchised are low-income who cannot afford computers and internet service, and those who may not be comfortable with the technology, including many among our elderly, and those in the most rural areas of our state where internet service is not available and may never be available.

The idea that legal notices -- which inform the public of legal proceedings -- would be available only for those with digital access directly contradicts the very concept of public access to government.

Additionally, the hop-skip-and-jump of requiring anyone seeking legal notices to check hundreds of municipal websites -- many of which are not updated on a regular basis or even on a yearly basis, calling into question whether municipalities are even equipped to maintain legal notices in real time -- creates an unnecessary burden for people who now can view all legal notices on a single page in our newspapers. And, if they *are* web savvy, on a single online clearinghouse for public notices maintained and paid for by the Maine Press Association at MaineNotices.com.

The reality is, if a town is seeking the best bid on snowplowing, for example, it is to the town's advantage to ensure the most eyeballs possible see any request for quote so the town is assured of getting an array of bids. I know this bill is being pitched as a financial savings for municipalities, but I'm aware of instances where towns have actually saved much more money than they spent on a legal ad purely because the ads have drawn highly competitive pricing. This is especially true for major capital improvement projects where towns are seeking the lowest possible bid.

This proposal creates an unwieldy and unworkable treasure hunt for contractors looking for work and for the public seeking access to legal announcements in their communities. Most importantly, it creates a platform of privileged access only for those who can afford it.

The suggestion that only the most web proficient people who live in the most affluent and highly populated areas of Maine -- with the best access to reliable internet service -- are able to find and read legal notices creates gross inequity across the state, and is undeserving of support.