

House Consumer Protection and Government Efficiency Committee

Testimony of Timothy W. Gleason on House Bill 2822

March 5, 2013

Chairman Holvey and Members of the Committee:

My name is Tim Gleason. I am the Dean of the University of Oregon School of Journalism and Communication and a member of the Oregon Newspaper Publishers Association (ONPA) Board of Directors. I write today as a private citizen who is extremely concerned with efforts to move public notice from community newspapers to exclusively online publication. In an increasingly digital environment, community newspapers and the statewide Public Notice Website operated by the ONPA remains the most effective way to inform the public and to achieve the statutory mandate for effective public notice.

“Access to information” and “notice of information” frequently are confused in this debate. They are fundamentally different. Consider a community’s interest in a zoning change near a school. It is true that a notice of the zoning change published on a website is accessible via search or if the viewer know where to find the notice; however, the majority of the neighbors will not find the notice because they will not seek it out. If citizens are unaware of the zoning issue or are not Internet savvy, it is highly unlikely that they will ever see the Internet posted notice.

In contrast, public notices in a newspaper are in the same place day after day, year after year. People know where to find this information and it is adjacent to other content. The casual reader

will find the notice even if he or she is not looking for it. The reader who is looking for the notice will know where to find it in the newspaper.

The failure of Internet public notice is highlighted in an example from Crescent, OR, a small rural Oregon community located between Bend and Klamath Falls. The Oregon Department of Environmental Quality published notice online and in the Klamath Falls *Herald and News*, which is not distributed in Crescent, of its intent to ship compost materials to a site near Crescent. When residents belatedly learned of the proposal, DEQ acknowledged that it failed to provide effective notice to Crescent. The agency promised a hearing and extended the comment period. Once Crescent residents were aware of the proposal, more than 100 people showed up at the Crescent Community Center to meet with DEQ. In short, Internet public notice failed to achieve effective notice.

Research shows that more than three of four Oregon adults read public notices and the same percentage state they prefer newspapers to government websites as their delivery source of public notice. People who care about the actions of government are accustomed to finding information about government and other public notices in their newspapers and on newspaper websites.

As you may know, all public notices published in Oregon's newspapers are also placed on the ONPA website, where they are saved in a searchable archive. In contrast to notices published only online, a public notice in an Oregon community newspaper is published both in print and online.

The "digital divide" is real in rural Oregon and is an important factor in effective public notice in our state. Last year I had the opportunity to talk to a group of students from central Oregon high

schools. Only one of the approximately 20 students in the class had ever used a smart phone or a tablet. Most did not have Internet access in their homes. The United States Department of Commerce, reported in November 2011 that 25 percent of Oregon's population does not have broadband access to the Internet. That percentage grows significantly when issues of age, non-majority race, lower income, and non-urban setting, among other demographic characteristics, are considered. One-third of all Oregonians living in non-urban locations are without Internet access, according to the Department of Commerce. The United States Census Bureau reports that more than 62 percent of seniors have no Internet access. Removing public notices from Oregon community newspapers will deny these vulnerable citizens access to important information.

Thank you for the opportunity to submit this information. I would be happy to answer any questions the Committee may have.

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