

January 22, 2025

House Political Subdivisions
HB 1380

Chairman Longmuir and Committee Members:

My name is Denise Westad. I represent Consolidated Newspapers Inc., which consists of two official county newspapers in North Dakota. Please accept this testimony OPPOSED to the amendment in House Bill 1380.

This amendment would give counties the okay to post minutes on their websites instead of in newspapers. I have the voter numbers proving this is not what voters want.

In the last election, voters in Benson county voted 92.86% to 96.49% in favor of publishing minutes in newspapers. Nelson county voted 80.95% to 97.96% in favor of publishing minutes in the local newspaper, an average of 91.78%.

In addition to publishing minutes in print newspapers, we also upload them to a free statewide public notice website maintained by NDNA, ndpublicnotices.com, which is accessible and at no cost to the consumer or the county.

In 2024 Benson County spent \$4,842.75 on publishing minutes in the Benson County Farmers Press, out of a budget of \$7,258,391.83. That is 0.0007%. Nelson County spent \$4,899.46 on publishing minutes in the Lakota American, out of a budget of \$5,339,861.49. That is 0.0010%.

Despite any digital disruptions, newspapers have been since the First Congress of the United States the preferred vehicle for disseminating public information because they do a couple of things government websites do not: they are independent, verifiable, and archived for the historic record.

Verifying online publication is much more difficult than with newspapers. This is why courts subject digital evidence to far greater scrutiny than evidence published in newspapers. Significant numbers of people in rural areas still lack high speed internet access and our elderly have issues of cost, education and ability to access online content. Furthermore, some counties have a dismal record of providing minutes to newspapers, even though they are required by law to publish them.

Finally, please note that the amendment carries no mechanism by which to verify county compliance with website publication, while newspapers still have to provide an affidavit swearing publication has occurred. Newspapers are paid to make sure publication occurs. That's the true beauty of our current system and there's no way to replace it on a government website.

Once relegated to county websites alone, there is no mechanism to assure these postings occur and no penalty for failing to post them.

I urge a DO NOT PASS on HB 1380