

House Political Subdivisions  
HB 1380

**CHAIRMAN LONGMUIR AND COMMITTEE MEMBERS:**

My name is Cecile Wehrman. I represent the North Dakota Newspaper Association and the state's 73 newspapers. Please accept this testimony **OPPOSED** to House Bill 1380.

This bill would give counties the okay to post minutes on their website instead of in newspapers. But we know that's not what people want.

In a demographically weighted survey of North Dakotans in 2024:

--**85 percent** said they believe public notices should be required to be placed in newspapers and **83 percent** said they read public notices in newspapers either digitally or online.

--Respondents chose newspapers over city/county websites **TWO to ONE** as the most appropriate, reliable and transparent location for public notices.

--Eight out of 10 North Dakota adults – **82 percent** – said public notices belong in newspapers over government websites. Only 18 percent said governments can be trusted to be the only source of public notices.

Minutes of a county body are among the most important communications local governments release to the public. They are the only mechanism by which the average citizen gains exposure to what the county is spending money on, who is coming before the county with problems and how county business is being managed. The cost of this transparency is typically less than 1 percent of the budget -- in some cases, well below 1 percent.

While counties don't vote on the issue of minutes publication, last June's vote on the publication of **CITY** minutes confirms the high percentage of voters who want minutes published. An average of **85 percent** of voters in 208 cities in North Dakota voted YES to publication of minutes in newspapers. In some towns, the vote was as high as 93 percent!

Submitted along with my testimony and the survey results previously mentioned, you will see a number of comments from citizens that delve into their attitudes about publication of minutes and I urge you to give those a look. It's not that people oppose ALSO having notices posted on government websites, but they see a clear interest in having a trusted third party like newspapers involved in making sure publications occur.

The majority of today's newspapers are both print and digital. There's also a free statewide public notice website maintained by NDNA called ndpublicnotices.com, where all public notices, including minutes, are published and accessible at no cost to the consumer or the county.

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 several things government websites do not: they are independent, verifiable, cannot be altered electronically and they are archived for the historic record. Websites can go down or be hacked, but newspapers are required to provide copies of every issue to the State Historical Society. Once they're printed, they become the permanent archive of each county.

Verifying online publication – and making sure it isn't altered -- 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 on-line content.

Furthermore, some counties have a dismal record of providing minutes to newspapers, even though they are required by law to publish them. A number of our members have submitted written testimony about late publications of minutes and having to remind auditors to send them. Who will make sure the minutes are published online?

Please note that the bill 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. People will be less informed about county business, less engaged in their communities, less inclined to get involved and have no remedy if a county fails to post them online.

We urge a **DO NOT PASS** on HB 1380

(Please see survey documents attached)



# The North Dakota State Study

Consumer Insights from the  
North Dakota Newspaper Association



# Survey Methodology

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- The North Dakota Newspaper Association commissioned Coda Ventures, an independent research and consulting firm, to conduct a survey among North Dakota adults, age 18+.
- The survey was designed to measure the demographics, media behavior and purchase intentions of respondents for specific product categories.
- The survey was fielded online, and respondents were screened by zip code to ensure an accurate representation of urban, suburban and rural communities. Additional quotas were set for age, gender, education and race to match the demographic composition of the population.
- The data was weighted and projected to the most recent ESRI census estimates.
- The survey was fielded from February 12 - March 19, 2024.
- At the close of the survey, a total of 405 adults participated. (Margin of Error: +/- 4.9%)



## Public Notices

**83%**

Of North Dakota adults read **public notices** in print or digital newspapers

Usually	22%
Sometimes	35%
Seldom	26%
Never	17%



**85%**

Believe that publishing **public notices** in newspapers should be **required**

Yes	85%
No	15%

How often do you or other members of your household read public notices in a newspaper, on a newspaper's website or on the free statewide newspaper public notices website, regarding such issues as: tax/rate changes, zoning changes, abandoned properties, changes to the state constitution, bids on government contracts, etc.?

When state and local government agencies publish public notices, they pay for that publication, which amounts to less than 1% of their budget. Knowing this, do you believe that state and local government agencies should be required to publish such public and legal notices in newspapers and on their websites as a service to the community?

## Citizens Speak Out about Public Notices

*"I think the government should realize obviously that it's very important for public notices to be in newspapers and that's why it's been going on for over 200 years. To try and change it now would be ridiculous."*

*"I believe public notices in newspapers are important and should continue."*

*"I feel information that should be public should be easily accessible to all and reported on by multiple different agencies especially outside of the government itself."*

*"Public notices should appear on both state websites and in newspapers as not everyone gets online and not everyone wants to use online to read this important information. Citizens should know everything that's going on especially if they pay for it with our tax money."*

*"State sites are ok if you are looking for notices, but local papers will let you know about them without having to search. Most of the time you do not look for these things, so the local papers print them, and you will see them."*

*"I trust the local newspaper more than I do the government and state."*

*"They have always been in newspapers, and I feel they should continue to be in newspapers. They should be available as many places as possible."*



## Citizens Speak Out about Public Notices

*"Sometimes it is very difficult to find public notices online. Do you look on the city site, county site, state site...so many sites."*

*"I think a large majority of people will follow their local newspaper for info instead of a county or state website."*

*"If info is available in the newspaper we don't have to search and dig on city and county websites for news and information."*

*"A third party, like a newspaper, is best for presenting the information and retaining historical information.*

*I feel that a local third party like a newspaper has no conflict of interests as opposed to government owned entities."*

*"The fact is there are still citizens who don't regularly use the internet. Citizens have the right to use whatever source they choose, and the government has an obligation to provide it."*

*"There should be access to information for all people to see, and therefore the information should be shared in several forms."*

## Opinions About Sources of Public Notices

**Local newspapers/newspaper websites are a more reliable, appropriate and transparent medium for public notices than state, city or county websites**

**Local newspapers are also more concerned with the community ....**

	Local Newspapers/ Websites	State Websites	City/County Websites
Concerned about the local community	<u>68%</u>	8%	24%
Appropriate location for public notices	55%	18%	26%
Reliable	53%	30%	17%
Transparent	53%	29%	19%

When thinking of the following sources for public notices, which do you feel is the most...

Source: The North Dakota State Study, 2024; Conducted by Coda Ventures Base: Total adults



## Government Websites vs. Newspapers

**Eight out of 10 North Dakota adults (82%) believe that an independent third-party should deliver public notices versus having them only available on government websites**

	North Dakota Adults
I think newspapers as an independent third-party source should deliver this important information to the public	82%
I think government can be trusted to be the only source of public notices	18%

Do you think state or local governments should stop publishing public notices in local newspapers/newspaper websites and only publish them on their websites?