

March 13, 2025

House Political Subdivisions
SB 2069

CHAIRMAN LONGMUIR AND COMMITTEE MEMBERS

My name is Allison Olimb. I am the editor of the Walsh County Press in Park River, N.D., and currently serve as the President of the North Dakota Newspaper Association.

I would like to offer my testimony IN OPPOSITION to SB 2069.

I have concerns regarding this bill and how it handles public notices. The wording, as presented, is vague and potentially devastating. Respectfully, this is not the government's job. This is our job and our responsibility. We listened to the Senate committee work, and we can see the writing on the wall. There was no love for North Dakota's newspaper community there.

Next week is Sunshine Week across the country. Sunshine Week is a nonpartisan collaboration among groups in the journalism, civic, education, government and private sectors that shines a light on the importance of public records and open government. Sunshine Week is a celebration of a system that heralds government transparency and accountability. We are not working against you. We are working with you and for you.

North Dakota is, in fact, one of the states that is leading the way in transparency and accountability with a newspaper association-led public notice website. According to the Public Notice Resource Center, 20 states require newspapers that qualify to publish notices to publish those same notices on their website and/or on their state press association's statewide public notice website, these web posting laws exist for Alabama, Colorado, Florida, Illinois, Indiana, Iowa, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, Texas, Utah, Virginia, and Wisconsin.

<https://www.pnrc.net/subscribers/statutes-comparative-by-state/statutes-requiring-web-posting/>

Though the bill we are discussing today has largely been billed as a backstop to the failure of a newspaper to print a notice, the implications in Senate committee work have been that this failure has been the rule rather than the exception. That is not true. While occasional errors occur, the system overwhelmingly works as intended.

If you look at the search results on <https://ndpublicnotices.com/> and see notices handled by the 73 newspapers across the state, you will see that this is not a small task.

The state of North Dakota has demonstrated little to no research on the potential fiscal impacts not only related to the work of setting up a website but the labor involved in uploading those notices. Committee discussion demonstrated a clear need for an appropriation until it went to the floor under the assumption that good enough was good enough, but this is a slippery slope that leads to more government control and more government spending.

A fiscal impact statement filed in connection with a similar bill in Indiana reports that “the cost to implement a public notice website/database could require \$315,000 to \$475,000 in FY 2026 and between \$225,000 and \$325,000 in FY 2027. Additionally, Indiana Office of Technology could require between 1 to 4 additional staff members to help with on boarding and general upkeep after the on boarding process. A single ongoing staff member would require expenditures of \$104,800 including base salary and fringes. Whether current IOT staffing would be sufficient for the additional responsibility would depend on the existing staff’s current workload levels.”

We don’t need to go down this path.

The appropriate place for these notices is in the hands of the local people. The appropriate place for these notices online is in the name -- ndpublicnotices.com.

We should not be at odds. We should be supporting each other to promote informing the local people. North Dakota is a better place when we celebrate Sunshine.

I urge you to reject SB 2069 and support a system that has long ensured transparency and accessibility for North Dakotans. Thank you.