

**2023 HOUSE POLITICAL SUBDIVISIONS**

**HB 1197**

# 2023 HOUSE STANDING COMMITTEE MINUTES

## Political Subdivisions Committee Room JW327B, State Capitol

HB 1197  
1/19/2023

Relating to publication of legal notices by newspapers

2:18 PM calls meeting to order.

Members present: Chairman Longmuir, Vice Chairman Fegley, Rep. Hatlestad, Rep. Heilman, Rep. Holle, Rep. Jonas, Rep. Klemin, Rep. Motschenbacher, Rep. Ostlie, Rep. Rios, Rep. Toman, Rep. Davis, Rep. Hager. Absent: Rep. Warrey

### Discussion Topics:

- Official notices
- Printing timeframes

Representative Pyle: Introduced the bill. In support. Testimony (#13282)

Jack McDonald, ND Newspaper Association. Introduced Amy Wobbema and Amy Delrymple. In support of this bill. No written testimony

Amy Wobbema, President, ND Newspaper Association: In support. Testimony (#14261)

Amy Dalrymple, Editor of the Bismarck Tribune and Mandan News: In support. Testimony (#14403)

Sheri Neas, Office of Management and Budget: Neutral information. No written testimony

Hearing closed at 2:37 PM

Representative Jonas moved a DO PASS

Seconded by Representative Heilman

Roll call vote:

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick Hatlestad	Y
Representative Matt Heilman	Y
Representative Dawson Holle	Y
Representative Jim Jonas	Y
Representative Lawrence R. Klemin	Y

Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nico Rios	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	AB

Motion carried: 13 Yes 0 No 1 Absent

Bill carrier: Representative Davis

**Additional Testimony:** Beth Helfrich. ND Newspaper association: In support. Testimony (#13664)

Meeting adjourned at 2:37 PM.

Delores Shimek, Committee Clerk By: Leah Kuball

**REPORT OF STANDING COMMITTEE**

**HB 1197: Political Subdivisions Committee (Rep. Longmuir, Chairman)** recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1197 was placed on the Eleventh order on the calendar.

**2023 SENATE STATE AND LOCAL GOVERNMENT**

**HB 1197**

# 2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee  
Room JW216, State Capitol

HB 1197  
3/3/2023

Relating to publication of legal notices by newspapers.

9:00 AM Chair Roers opened the hearing. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

### Discussion Topics:

- State law update
- Print edition
- Electronic edition
- E-news popular

Rep Pyle, Dist 22, bill sponsor and testified in support #21585.

Jack MacDonald, ND Newspaper Assoc, testified in support with survey #21898.

Matthew Von Pinnon, Editor Fargo Forum, testified via TEAMS in support #21882.

Larry Syverson, Township Assoc. testified in support with no written testimony.

Sen Lee moved a DO PASS. Sen Estenson seconded.

Senators	Vote
Senator Kristin Roers	Y
Senator Jeff Barta	Y
Senator Ryan Braunberger	Y
Senator Sean Cleary	Y
Senator Judy Estenson	Y
Senator Judy Lee	Y

VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Barta will carry the bill.

### Additional written testimony:

Amy Wobbema, New Rockford, ND in support #21840

Amy Dalymple, ND Newspaper Assoc, in support #21856

9:15 AM Chair Roers closed the hearing.

*Pam Dever, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HB 1197: State and Local Government Committee (Sen. K. Roers, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1197 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.

**TESTIMONY**

**HB 1197**



**PUBLIC NOTICE MODERNIZATION – Rep. Brandy Pyle  
House Political Subdivisions Committee  
January 19, 2023  
2 p.m.**

Good afternoon, Chair Longmuir and Political Subs committee. I am State Representative Brandy Pyle from District 22. I am here today to introduce HB 1197 which modernizes state law on public notices.

The newspaper industry that existed when public notice laws were enacted is evolving. There are fewer newspapers, and they have less print circulation. Many newspapers have moved to a hybrid model of print and electronic publications, as the rise of digital media continues to transform the way people access news.

These changes should be reflected in the public notice laws that were largely enacted before the digital revolution. Despite this revolution, though, the founding fathers’ principle of transparent government that is accountable to the citizens remains.

House Bill 1197 makes a disciplined step in the right direction. By amending the definition of “publish” to include both the print edition and “e-edition” of a newspaper, this bill gives the option to publish public notices online, where many North Dakotans consume their news. The bill also helps government and citizens more easily meet public notice requirements, as many newspapers produce e-editions more frequently than print editions.

**E-editions are more frequent than print editions:**

<b>MULTI-DAILY NEWSPAPERS</b>	<b>PRINT PUB DAY</b>	<b>E-EDITION PUB DAY</b>
THE BISMARCK TRIBUNE	M - Sa	Every day
DEVILS LAKE JOURNAL	T, Th	T, Th
THE DICKINSON PRESS	W	Every day
THE FARGO FORUM	W, Sa	Every day
GRAND FORKS HERALD	W, Sa	Every day
JAMESTOWN SUN	W, Sa	Every day

MINOT DAILY NEWS	M - Sa	M-Sa
VALLEY CITY TIMES-RECORD	T – F	M - F
WAHPETON DAILY NEWS	Su, T, Th	T, Th, Sa
WILLISTON DAILY HERALD	Su, W, F	Su, W, F

**This bill helps state agencies, political subdivisions, and citizens to meet publication requirements more easily:**

North Dakota has many public notice requirements for agencies and citizens. For example, under N.D.C.C. § 28-32-10, an agency proposing changes to its administrative rules must publish a notice of the proposed changes and the date for a public hearing in each official county newspaper at least 20 days before the hearing.

An example for your consideration: THE DICKINSON PRESS, the official county newspaper of Dunn and Stark Counties, produces its print edition *once per week* on Wednesdays. THE DICKINSON PRESS produces an e-edition *every day of the week*.

If a public hearing is scheduled for June 30, the agency must publish notice of the hearing in the paper by June 10. Because THE DICKINSON PRESS only puts out a print edition on Wednesdays, the agency must print the notice by Wednesday, June 7<sup>th</sup>. With passage of this bill, the agency may utilize the e-edition – produced every day of the week – and therefore has more opportunities to meet its notice obligation.

The newspaper e-edition bill protects publication of notices by an independent third party while at the same time recognizing newspapers’ hybrid publication model, consumer choice, and the modern search and reach capabilities of the internet. This legislation is a proactive solution for public notice.

Thank you for your consideration of HB 1197. I will stand for questions, but I believe others will be also testifying in support of this piece of legislation.



**2020 North Dakota  
Market Study – Public Notices**

*coda*



# Newspaper Readership

Every month, nearly **538,000** North Dakota Adults turn to Local Print or Digital Newspapers for news and information

**86%**  
537,876  
Total



**78%**  
483,093  
Digital

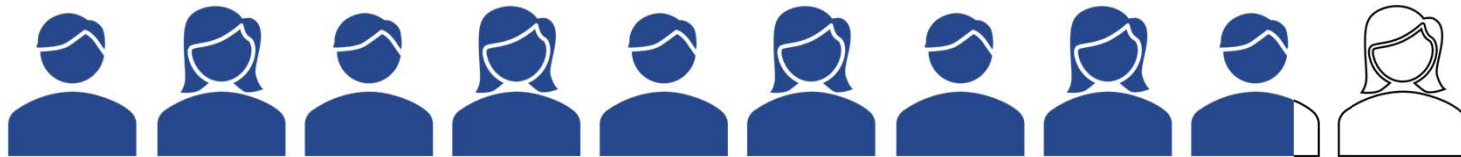


**72%**  
445,740  
Print

**63%**  
391,579  
Digital & Print

# Public Notices

Nearly 9 out of 10 North Dakotans read Public Notices in newspapers and more than 3 out of 4 say publishing Public Notices in newspapers should be required.



**88%** of North Dakotans read public notices in newspapers.



**76%** of North Dakotans say publishing Public Notices in the newspaper on a regular basis should be required.

# Newspapers Trusted Most

More than 9 out of 10 say local newspapers and newspaper websites are the **most trusted** source for Public Notices!



94%

of North Dakotans say **local newspapers/newspaper websites** are trusted more for public notice information than city newsletters and government or non-government websites.

# Community Newspapers

North Dakotans who read Community Newspapers rely on these **Newspapers** as their primary source of information regarding local government versus other media.

Local Newspapers*	Local TV News Programs*	Other Online Sources	Local Radio*
<b>Local Government</b>			
<b>47%</b>	<b>33%</b>	<b>8%</b>	<b>13%</b>
<b>Candidates and ballot issues</b>			
<b>43%</b>	<b>33%</b>	<b>14%</b>	<b>10%</b>

\*Includes websites

Source: 2020 NDNA Market Study

Base: Total Community Newspaper Readers

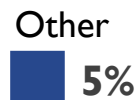
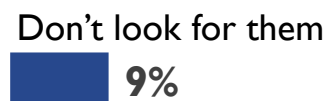
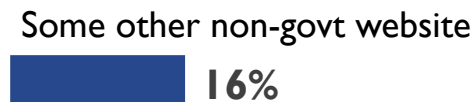
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# Local Government Information

Local newspapers/newspaper websites are relied on more than any other media by North Dakotans seeking information about their local government, city council meetings, public meetings, tax increases, etc.

## Local newspapers/newspaper websites



Media relied upon for local government information



# Community Involvement

Newspaper Readers are active influencers in their community.



**86%**

of Newspaper Readers feel they have a responsibility to help shape the future of their community.



**74%**

of Newspaper Readers voice opinions and concerns regarding local community issues such as education, traffic, economics and taxes.



**66%**

of Newspaper Readers say others frequently turn to them for information regarding their local community.

# Elected Officials

More than 6 out of 10 of North Dakota Newspaper Readers contacted an elected official or community leader.



of North Dakota Newspaper Readers contacted elected officials/community leaders in the past 2 years to let them know how they feel about issues that are important to them.



Please contact:

Questions?

*coda*

January 18, 2023

Chairman Longmuir and Members of the House Political Subdivisions Committee,

My name is Amy Wobbema, President of the North Dakota Newspaper Association and publisher of two weekly newspapers in central North Dakota - the New Rockford Transcript and the Foster County Independent.

I appear before you today to ask for your support on HB 1197, the Public Notice Modernization bill.

I've owned the New Rockford Transcript for seven years, and I've worked at the newspaper for eight. When I purchased the business in December 2015, the newspaper had no online presence other than a Facebook page with a couple hundred followers. I knew that had to change, as several other weekly newspapers already had e-editions and websites.

Within six months, I launched the first website and first e-edition of the Transcript. In 2018, I worked with a developer to build a new website for the newspaper, one that made all the public notices we published available online with no subscription required.

In 2019, the newspaper industry came before the legislature with a bill to require newspapers to publish all public notices across the state in one place online, to make them more accessible to the public.

I purchased the Foster County Independent in October 2021, and within three months I launched a website for the Independent, which also has a place where the public can access all our public notices with no subscription required.

The readership on both of our websites is increasing. While the majority of our readers still access news from their weekly newspaper in print, we do have a growing audience online and currently post breaking news stories there in between print editions.

I'm sharing this because I want you to know how newspaper publishers in North Dakota are changing with the times. You've heard about the daily newspapers that have reduced print editions while continuing to publish news daily online in their e-editions. While they don't have a print product every day, readers are still able to access news in real time, as well as a daily e-edition, online.

Right now about half of the weekly newspapers across the state publish a copy of their weekly print edition online as an e-edition. While I am not aware of any that publish additional e-editions beyond the facsimile of their weekly print product, I know that things can and will change, and publishers can see the opportunity in front of us.

HB 1197 is one more demonstration that the newspaper industry is looking ahead to the future, mindful that people consume news in different ways.

I respectfully ask for a “do pass” on HB 1197. Thank you for your time and consideration. I’d be glad to answer any questions.

Jan. 18, 2023

House Political Subdivisions Committee  
House Bill 1197

Chairman Longmuir and Committee Members,

My name is Amy Dalrymple and I'm editor of The Bismarck Tribune and the Mandan News. I'm also past president of the North Dakota Newspaper Association.

I would like to voice my support for a Do Pass recommendation on House Bill 1197, the Public Notice Modernization bill. The bill would extend the definition of publish to include a newspaper's e-edition, allowing a public notice to appear in a digital e-edition.

I don't expect this bill to immediately have an impact on The Bismarck Tribune, as we currently print a newspaper six days a week. Our public notices appear in print and in our digital e-edition. Our public notices also are available on the Tribune website free of charge to non-subscribers and available to non-subscribers through a website established by the North Dakota Newspaper Association.

Newspapers have changed significantly since I began in this industry over 20 years ago. Often the change is rapid and in response to shifts in reader habits as more look online for their news. The bill sets up a framework to allow newspapers to continue to be the custodian of public information even as newspaper print schedules change.

A survey conducted by an independent firm in 2020 found that nearly 9 out of 10 North Dakotans say local newspapers or newspaper websites are trusted more for public notice information than city newsletters and government or non-government websites. This bill allows for newspapers to continue to be the trusted source of public information.

One reason newspapers are the best custodians of public notices is that we already have a system in place for every newspaper to be archived. The Bismarck Tribune will turn 150 this year, and our editions are available to the public at the State Archives. The staff at the State Archives already have been keeping a copy of our Sunday and holiday e-editions, and I appreciate that this bill codifies that in the law.

I respectfully ask for a Do Pass recommendation on House Bill 1197. Thank you for your support to keep North Dakota public notices accessible. I'd be glad to answer any questions you might have.



# North Dakota House of Representatives

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Representative Brandy Pyle

District 22  
P.O. Box 337  
Casselton, ND 58012-0337  
[bpyle@ndlegis.gov](mailto:bpyle@ndlegis.gov)

**COMMITTEES:**  
Appropriations

March 3, 2023

Good afternoon, Chair Roers and State and Local Government Committee. I am State Representative Brandy Pyle from District 22. I am here today to introduce HB 1197 which modernizes state law on public notices.

The newspaper industry that existed when public notice laws were enacted is evolving. There are fewer newspapers, and they have less print circulation. Many newspapers have moved to a hybrid model of print and electronic publications, as the rise of digital media continues to transform the way people access news.

These changes should be reflected in the public notice laws that were largely enacted before the digital revolution. Despite this revolution, though, the founding fathers' principle of transparent government that is accountable to the citizens remains.

House Bill 1197 makes a disciplined step in the right direction. By amending the definition of "publish" to include both the print edition and "e-edition" of a newspaper, this bill gives the option to publish public notices online, where many North Dakotans consume their news. The bill also helps government and citizens more easily meet public notice requirements, as many newspapers produce e-editions more frequently than print editions.

### E-editions are more frequent than print editions:

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The newspaper e-edition bill protects publication of notices by an independent third party while at the same time recognizing newspapers’ hybrid publication model, consumer choice, and the modern search and reach capabilities of the internet. This legislation is a proactive solution for public notice.

Thank you for your consideration of HB 1197. I will stand for questions, but I believe others will be also testifying in support of this piece of legislation.



March 2, 2023

Chairperson Roers and Members of the Senate State and Local Government Committee,

My name is Amy Wobbema, President of the North Dakota Newspaper Association and publisher of two weekly newspapers in central North Dakota - the New Rockford Transcript and the Foster County Independent.

I'm writing to ask for your support on HB 1197, the Public Notice Modernization bill.

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Right now about half of the weekly newspapers across the state publish a copy of their weekly print edition online as an e-edition. While I am not aware of any that publish additional e-editions beyond the facsimile of their weekly print product, I know that things can and will change, and publishers can see the opportunity in front of us.

HB 1197 is one more demonstration that the newspaper industry is looking ahead to the future, mindful that people consume news in different ways.

I respectfully ask for a “do pass” on HB 1197. Thank you for your time and consideration.

Amy Wobbema  
Owner/Publisher  
AWE, LLC

March 2, 2023

Senate State and Local Government Committee  
House Bill 1197

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A survey conducted by an independent firm in 2020 found that nearly 9 out of 10 North Dakotans say local newspapers or newspaper websites are trusted more for public notice information than city newsletters and government or non-government websites. This bill allows for newspapers to continue to be the trusted source of public information.

One reason newspapers are the best custodians of public notices is that we already have a system in place for every newspaper to be archived. The Bismarck Tribune will turn 150 this year, and our editions are available to the public at the State Archives. The staff at the State Archives already have been keeping a copy of our Sunday and holiday e-editions, and I appreciate that this bill codifies that in the law.

I respectfully ask for a Do Pass recommendation on House Bill 1197. Thank you for your support to keep North Dakota public notices accessible. I am unable to participate in your hearing, but would be happy to answer questions at [amy.dalrymple@bismarcktribune.com](mailto:amy.dalrymple@bismarcktribune.com).

Thank you.

Amy Dalrymple  
Past President, North Dakota Newspaper Association  
Editor, Bismarck Tribune

March 3, 2023

Senate State and Local Government Committee  
Re: House Bill 1197

Good morning Committee Chair Roers and members of the Senate State and Local Government Committee.

My name is Matt Von Pinnon. I'm editor of The Forum of Fargo-Moorhead, InForum.com, and a past president of the North Dakota Newspaper Association. I appreciate you letting me appear before you by remote access this morning.

I'm appearing today on behalf of NDNA in support of HB 1197, the Public Notice Modernization bill. It would extend the definition of publish to include a newspaper's e-edition, sometimes called an e-paper, allowing public notices to appear in digital e-editions.

The Forum is among four newspapers in the state proudly owned by North Dakota-based Forum Communications Co. All of our company's newspapers, including 16 more in Minnesota and South Dakota, publish one or two printed editions a week. But nearly all of our newspapers publish e-editions every day of the week. They look just like any other newspaper but are delivered electronically right to a reader's computer or smartphone.

When we first began publishing e-editions, we printed newspapers seven days a week as well. But as more and more readers became comfortable with e-editions, and some ultimately preferred them for a variety of reasons, the e-editions eventually became our primary delivery platform. While the printed newspaper is still fantastic and preferred by many, the e-editions allow for on-time delivery in any weather and in any location, and allow readers to zoom in or enlarge words for easier reading. In essence, e-editions have expanded our reach beyond the one-day distance limitations of delivery trucks.

And our company and our audience are not alone in seeing the great possibilities of this relatively new delivery platform. Many of the newspapers my colleagues operate are expanding their audiences by offering e-editions.

Which is why it seems logical to allow public notices to appear in digital e-editions. At The Forum, we still publish our public notices on print days, and I think that will continue for the foreseeable future, but the current requirement to do so limits the opportunities for those placing public notices and also for those reading them. I should also add that most newspapers, including ours, publish public notices on our websites that nonsubscribers can access free of charge. NDNA also has a free public notice website.

An independent survey done in 2020 found that nearly 9 out of 10 North Dakotans say they look to their local newspapers for public notices and they trust their newspapers for that service far more than government or non-government websites. This bill allows newspapers to continue serving readers that way, but with more flexibility in how that information is delivered.

I respectfully ask for a Do Pass recommendation on HB 1197. We appreciate your efforts to keep North Dakota public notices accessible.

I'd be happy to answer any questions you might have.



**2020 North Dakota  
Market Study – Public Notices**

*coda*



# Newspaper Readership

Every month, nearly **538,000** North Dakota Adults turn to Local Print or Digital Newspapers for news and information

**86%**  
537,876  
Total



**78%**  
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Digital



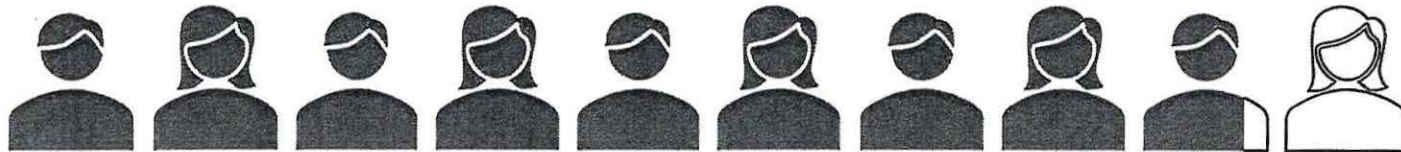
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445,740  
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**63%**  
391,579  
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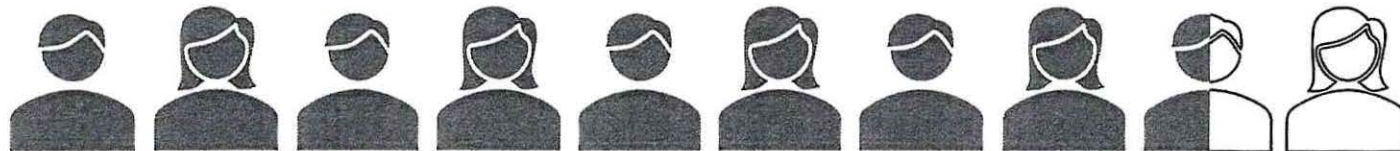


# Public Notices

Nearly 9 out of 10 North Dakotans read Public Notices in newspapers and more than 3 out of 4 say publishing Public Notices in newspapers should be required.



**88%** of North Dakotans read public notices in newspapers.



**76%** of North Dakotans say publishing Public Notices in the newspaper on a regular basis should be required.

# Newspapers Trusted Most

More than 9 out of 10 say local newspapers and newspaper websites are the **most trusted** source for Public Notices!



94%

of North Dakotans say **local newspapers/newspaper websites** are trusted more for public notice information than city newsletters and government or non-government websites.



# Community Newspapers

North Dakotans who read Community Newspapers rely on these **Newspapers** as their primary source of information regarding local government versus other media.

Local Newspapers*	Local TV News Programs*	Other Online Sources	Local Radio*
<b>Local Government</b>			
<b>47%</b>	<b>33%</b>	<b>8%</b>	<b>13%</b>
<b>Candidates and ballot issues</b>			
<b>43%</b>	<b>33%</b>	<b>14%</b>	<b>10%</b>

\*Includes websites

Source: 2020 NDNA Market Study

Base: Total Community Newspaper Readers

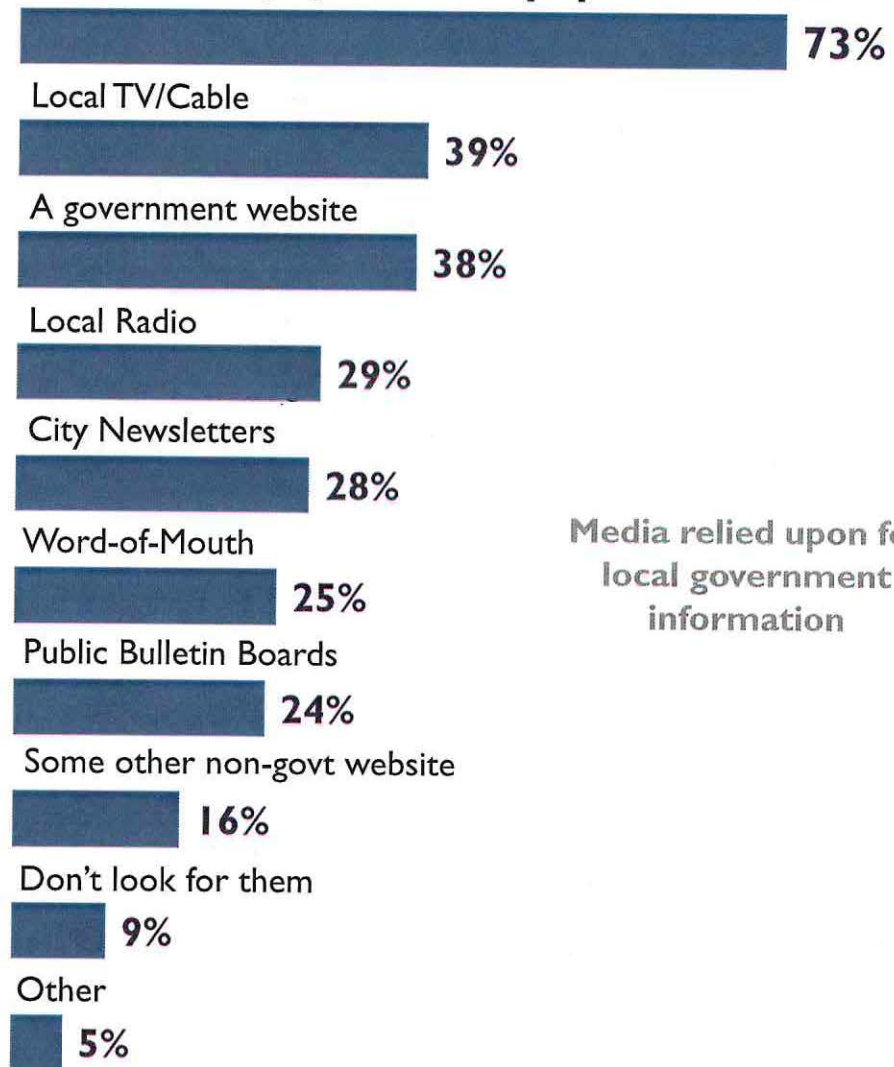
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*coda*

# Local Government Information

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## Local newspapers/newspaper websites



Media relied upon for local government information



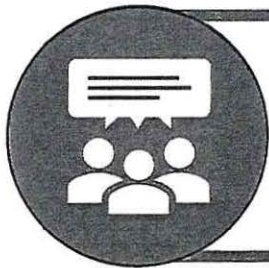
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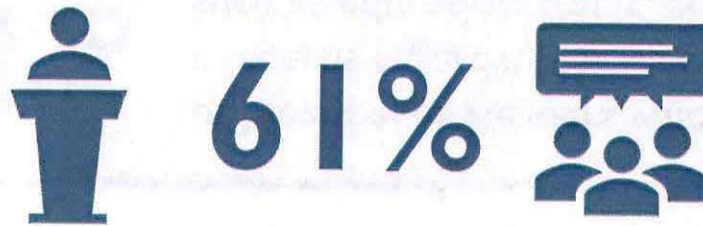


**66%**

of Newspaper Readers say others frequently turn to them for information regarding their local community.

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Please contact:

Questions?

*coda*