

LEADER&TIMES

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Date: March 16, 2015

To: Rep. Mark Hutton, chairman, House Committee on Commerce, Labor and Economic Development

From: Earl Watt, Owner, Leader & Times

Subject: Bill 2237

Committee Members:

Public trust.

How does the government keep and maintain the public's trust in how it carries out the mission of serving the taxpayers?

Making sure the public knows what the government is doing is vital to maintaining trust.

If the government does not have to use an independent entity to verify that the public has been properly notified, this destroys trust and faith in government.

Removing public notice from a verifiable independent source will not only erode the public's trust in government, but it will also be a temptation to those government agencies to consider expenditures and policies that might not have passed if the public had proper notification and an opportunity to respond.

How can we, the public, know for sure the public notice was properly given? Do we take the school district's word for it? Or the city? Or the county?

We provide an affidavit as a proof of publication for each public notice we print in the *Leader&Times* as a tool to both the entities we serve and to the public to verify that notice was given. We also provide a tearsheet.

Will the cities, counties and school districts have to hire independent auditors and accountants to provide this verification service that newspapers already provide? What will this cost?

While I may come from a town called Liberal, we are far from it. The people of this city are conservative, they have not voted for a Democrat for president or for the senate for more than 100 years, and they have a healthy amount of skepticism when it comes to government. Removing public notice from their newspaper to be placed on a web site will not only remove accessibility for thousands, it will be perceived as a move to eliminate transparency in government, widening the rift between our policy makers and the people they serve.

It could also be a license for these entities to be more bold in tax increases and mill levy hikes if fewer people will be aware or responding since the notice of such increases was hidden on a web site that has next to no traffic at all.

I looked up the facebook page of Seward County and compared its likes to that of the newspaper. We outpace them more than 8 to 1. We outpace the school district's facebook page 85 to 1.

While the technology may be available on the Internet, the technology to post the notice on the door of the courthouse has been available for centuries as well, but that was never considered public notice, either. The similarity between posting the notice on the courthouse door and placing it on a government web site would be much the same. Very few people use the Internet to search for public notices, but they have been reading public notices in Kansas newspapers for a century and a half. Newspapers make massive investments in developing an audience for your public notices, something that government web sites can not do, and frankly, it is not the role of

government to do so.

We do not have state-sponsored television or state-sponsored media. Why would we want to put our public notices on state-sponsored web sites that have no independent, third party verification?

Local government is neither impartial nor unbiased in its zeal for more tax dollars, and without an informed community on local government action, tax increases would take place unchecked.

Fresh on the minds of the voters is the debacle known as Obamacare where tens of millions were supposed to receive huge insurance discounts on a slick government web site. The reality was a system that crashed repeatedly and received only a fraction of enrollees that it expected. This had a national campaign and hundreds of millions of taxpayer dollars behind it, and it still failed miserably. Why would we think that public notices in Kansas being moved onto the Internet would fare any better or be done for any less than it is done today? Even when I went to search for this bill at kansas.gov, I was given "server error" messages and eventually sent to last year's bill listings.

Of all the public entities that use our newspaper to notify the public, their total investment in reaching our readership is less than 0.00012 percent, but that infinitesimal number helps keep the budgets reasonable.

In 2009, the school district tried to propose a capital outlay increase from 3 mills to 4. Once published, a petition was started forcing a public vote, and the 1 mill increase was defeated.

Had this been placed on an obscure web site with no public vetting, it would have passed unchallenged.

School districts also had to publish their top 10 salaries when we pointed out the law to the district, and the school lobby had the law changed to make this voluntary. Guess how many districts have voluntarily provided their top 10 salaries to newspapers? Zero.

When you do not require local governments to notify the public, they won't.

Asking the public to surf the Internet, find city web sites, county web sites, school district web sites and college web sites to find out if there is a public notice, on a daily basis, neither serves the public interest nor should be considered public notification. If the government still controls the information and its distribution, it technically has not yet publicized the notification any more than asking the public to stop by the office. The government web site is no different, is not independent, and can easily tuck information it prefers to be unseen deep behind its firewall.

This experiment was tried in Utah and failed miserably. It was rescinded the very next year when cities and counties complained that they had difficulty publishing the notices on their own web sites, and the public could not find the information.

It should not be the legacy of this Legislature that it made it more difficult for the public to see the actions of its local units of government and thereby made it easier for tax increases and expanded government. It should not be the legacy of this Legislature that the private sector with the responsibility of disseminating information was replaced by government-sponsored and government-funded distribution on government web sites.

All Kansans expect to keep the cost of government low and to not interfere with the private sector. This bill is detrimental to both.

I urge you to vote no to HB2237. By doing so, you will have maintained public trust in government by continuing the longstanding legacy of notifying the public through independent entities designed to do so, which will allow our communities to keep excessive government spending in check.

Thank you for your consideration and service to the people of Kansas,

A handwritten signature in black ink, appearing to read "Earl Watt", with a stylized, cursive script.

Earl Watt

Owner/Publisher, Leader&Times