

House Local Government Committee

Hearing on House Bill 633

Room 140 Main Capitol

May 19, 2011

11:00 AM

Testimony of Ernest Schreiber

Good afternoon, Chairman Creighton, Reps. Freeman, Cutler and Hickernell, and other members of the House Local Government Committee.

Thank you for this opportunity to speak about HB633, a measure to transfer publication of legal notices from newspapers to government.

My name is Ernest Schreiber. I am editor of the Lancaster New Era and of LancasterOnline, the web partner of our newspaper. I am a founding board member of the Pa. Freedom of Information Coalition and a past president of the Pennsylvania Society of Newspaper Editors.

Today I come to you in two roles – as representative of the newspaper industry and as editor of an unquestionably conservative editorial page that proclaims itself “the voice for Republicanism in the Garden Spot.”

Others have spoken and will speak ably on the harm this bill would bring upon the newspaper industry and on citizens who value reliable, easy-to-find information about the activities of government.

I will speak as a representative of a small but not yet extinct minority – newspaper editors who believe in the principles and values of our Founding Fathers, and who believe the Republican Party has shown itself best able to maintain those values.

I do not mean to speak in an overly partisan fashion. I understand and respect -- but disagree with -- those who think expanded government can solve the financial woes that government faces.

But it is my long-held opinion that Republicans best champion the individual and private enterprise. Republicans most oppose the expansion of government and government enterprise. They best understand that life, liberty and the pursuit of happiness are fostered by encouraging private initiative, not government bureaucracies. It was that principle – that less government and less government spending are better – that propelled the sweeping Republican victories of 2010.

When Pennsylvanians elected a Republican House, a Republican Senate and a Republican governor, I felt optimistic that our overtaxed, overregulated, over-governed state would be set on a new course that

would encourage individual achievement and private enterprise – and would restrain government growth and spending on all levels.

In this hope, I was encouraged by past experience. It was under former Gov. Tom Ridge that the first efforts to reform the state's once abysmal Right-to-Know Law began. And it was the considerable personal effort of Sen. Dominic Pileggi that forged a bipartisan coalition to enact a new Open Records Law. In that law, the rights of the individual citizen were lifted up; the power of bureaucrats and government was diminished.

My hope that this professed Republican concern for the individual and for private enterprise would continue in the current session has been dampened, however, by this committee's consideration of a bill pushed upon it by local municipalities and school boards eager to expand their payroll and power at the expense of the newspaper industry.

There can be no mistake. This legislation, HB633 and others of a similar nature, would seriously undermine the independent, privately owned newspapers of this state, and would transfer their business to government.

Private enterprise would no longer employ people to prepare and publish public notices. Government would employ people to do that. The work would be shifted from private payrolls to public payrolls.

At the same time, the credibility that publication in independently owned newspapers has given to public notices would vanish. Under this measure, local governments and schools could publish legal notices on their own, with no outside oversight or verification. Local government would be its own watchdog.

What this legislation does is increase the workload of governments, increase government spending and increase government power. It cuts the newspaper industry's revenue, jobs and independent watchdog function.

It would enable the possibility of corrupt practices – limited bidding, buddy-system hiring, unexamined zonings – that occur when public business is conducted under the veil of secrecy that obscure websites provide.

This bill would transform a system of public notice in which large, well-established publications inform hundreds of thousands of citizens about the public's business, to a system in which citizens must scour dozens and dozens of tiny, little-known websites to search out bid requests, job openings and zoning hearings.

Municipal officials and school board members who believe in limited government should be embarrassed to ask for this gross extension of power. This committee, particularly those who have campaigned so fervently on the principle of limited government, should disown it.

This measure is not worthy of consideration by any believer in open government, Republican or Democrat. I respectfully urge you to abandon it.