



The Pennsylvania League of Cities and Municipalities
President – Clifford “Kip” Allen, Councilmember, Edinboro



The Pennsylvania State Association of Township Commissioners
President – Thomas McElhone, Commissioner, Shaler Township

Testimony before the
House Local Government Committee
May 19, 2011

On-line Publication of Notices

Pa League of Cities and Municipalities and
Pa State Association of Township Commissioners

Amy Sturges, Director of Governmental Affairs, PLCM and PSATC

I am Amy Sturges, Director of Governmental Affairs for the PA League of Cities and Municipalities (PLCM) and the PA State Association of Township Commissioners (PSATC). Together, PLCM and PSATC represent over 150 urban communities statewide. I am testifying today on behalf of both associations in support of the authorization for local government to use the Internet as its primary medium for advertising public notices.

PLCM and PSATC are advocates for open, transparent government. It is of utmost importance that the citizens of any given municipality are able to follow and participate in the activities of their government. This is especially true at the local level where government action has the most immediate impact on its citizens. PLCM and PSATC are equal advocates for the use of innovation and flexibility in local government operations when it makes sense and can save taxpayer dollars.

As the costs of doing business rise, local governments continually look for ways to provide services and meet their obligations without increasing the cost to taxpayers. The requirement that public notices must be placed in newspapers has become a costly mandate. In 2006, the Penn State School of Public Affairs study estimated the cost at \$26 million annually. Naturally, the cost depends on the municipality, the number of notices it needs to make public and the rates charged by the paper. The ability to use current technology to post public notices is just one of many ways PLCM and PSATC are looking to reduce mandated costs. Other avenues include increasing the threshold for advertising bids, reforming collective bargaining and municipal pension laws and increasing the prevailing wage.

Decades ago, newspapers were chosen by the General Assembly as the medium for public notices because of their accessibility to a broad audience. At that time, there was no other option. Today, the Internet is a viable, and free, competitor to newspapers. Census data reveals that in 2010, 69% of U.S. households had Internet access. Equally important, a study by the Pew Research Center in 2010 shows that the gap between newsprint and on-line readership is closing. Clearly, the advent of the Internet and on-line news and information dissemination is changing

how and when we get our news. These trends support our ability to publish public notices on-line and still ensure an open and transparent government.

That said, any movement to on-line postings should be a local decision. Local governing bodies need to decide if it makes sense for their constituents and local budgets. In some cases, it will not. PLCM and PSATC also believe that local governments planning to move to on-line notification should be required to pass an ordinance detailing its use. This will provide both public notice and the opportunity for public comment on the transition to on-line postings.

Additionally, all local government entities choosing on-line advertising should follow a standard procedure. Such policies and procedures could be set out in legislation as they are in both the House Bill 633 and Senate Bills 804 and 805 or could be developed apart from legislation by a statewide agency. In either case, standard policies and procedures will ensure that all entities opting for on-line posting will be handling things in a similar way.

It is PLCM and PSATC's contention that a local government's responsibility for proper public notice extends to the citizens and business owners of that municipality. Those without home Internet access would have the option of viewing the notices in hard-copy at the municipal building or using the local library to view notices on-line. Senior centers, family members and neighbors are other avenues for those without Internet access. Contractors or others located outside of the municipality who are interested in public notices from either a business activity or general interest standpoint could request and be provided with e-mail notification of new postings and could rely on standard policies and procedures for posting as mentioned earlier.

The print media seems to have given itself the job of "watchdog," by the mere fact that they are the current, chosen form of public notice dissemination. They argue that access will decrease and local government will hide its activities deep within its website to avoid detection. If this is truly the concern of the newspapers, perhaps they should provide public notification publication for free. This would allow them to continue being the disseminator of the notices; it would greatly benefit the taxpayers and would provide a valuable community service to all citizens.

In conclusion, all entities must change with the times. This includes newspapers and government. Print media turned to the Web when readership decreased. Local government wants to utilize the Web for its ease of access, prevalence in society and cost effectiveness. PLCM and PSATC are confident that open government can continue to be maintained with the integration of on-line public notices. The key to a successful transition is an authorization, not a mandate, and a clear set of policies and procedures that can be followed by government and the citizenry.

Thank you for the opportunity to present testimony today. I am happy to answer your questions.