

## Joyce Brewer

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**From:** Wendy Severy [REDACTED]  
**Sent:** Monday, February 27, 2023 7:54 PM  
**To:** Joyce Brewer  
**Subject:** H0090 - Amends existing law to revise provisions regarding electronic publication of legal notices

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Dear Chairman Guthrie and Committee Members,

I would like to express my support and opposition to H0090 regarding legal notices.

**Support:** Since the availability of the world-wide web, I have strongly supported the ability for cities to publish legal notice electronically. It was understandable prior to that time that newspapers were the primary source of news and entertainment to the citizens. However, with the internet, we have seen a shift in the amount of people that actually read a physical newspaper and instead use the internet. It has always been my hope that cities and other taxing subdivisions would have the ability to publish legal notices on their own websites at a much-reduced cost to the tax payer. When legislature passed the law that required that cities post agendas, finances etc. on their websites, if they had them and the Idaho State Registry for financial information, that at that time, we would also see the ability to publish legal notices electronically. I would strongly support a state ran website that is specifically for legal publications with specific log-in access for clerks or to allow the cities, counties or other taxing districts to publish on their own websites.

**Opposition:** I do not feel that it is the responsibility of the citizens of the State of Idaho to support particular private industry at the cost to the taxpayer. Newspapers currently charge a crazy amount for a printed legal notice. For example, I just had a P&Z hearing notice published that was 1 ½ " X 6 ½ ", to publish one (1) time that cost \$58.84. The bigger the notice, the more expensive it becomes and we have no other alternative but to publish the notice and pay the required fee. To publish our annual budget for 2023 it required 3" x 12.11" space and it cost \$512.70 to publish just one (1) time. The notice had to be large enough to contain all the information required to be published at a size that was still readable. Then when a newspaper does not publish the notice you send to them on time, and they even confirmed they received it, does not publish on the required date, it can cause tremendous time and cost to cure it. In the 29 years that I have been submitting legal notices to the official newspaper of the city I worked for (Boise-17 yrs. & Wilder-12 yrs.), I have had this happen to me at least once a year on average. Because of this, I have had to try and publish my legal notices early enough to have another shot at having it published to meet the deadline and in some cases that is not possible. The larger newspapers have gotten better over the years, but it really seems like they are no longer where people go for legal notices. Newspapers have had

to change with the times, the same as us, but we should not be forced to support them, when we have the ability to provide the notices world-wide ourselves. Think about the amount of money that could be saved if a taxing district, that is taxpayer supported, could publish the notice electronically ourselves or a central location at no additional cost or a reduced cost. The clerk already creates the notice and sends it electronic to the newspaper, they don't do any of the background work, they just take what we provide and print it. In 1993 we would prepare it, fax it over and then they had to re-type it for printing purposes with proofs going back and forth; then in 1997 we were able to e-mail our document to them by converting it to .txt (basic text) and sending it to them (it was during this time that I wondered why we kept printing to newspaper); and now we are able to send it in about any format we want, but preferably .pdf, .xls or .doc. but now no-one reads the newspaper printed copy hardly and the notice is really only out there maybe one or two days...it has really become a thing of the past. I feel that newspapers can still charge a fee for their website by providing that "first look" into the news (ei. legislative items, accidents, crime, disasters, etc.), but when a city has to post a legal notice a certain period in advance, with some notices that don't change much from year to year, that there is enough advanced notice, that it doesn't need to be on a paid site and we can have the notice out there way in advance and for the entire time leading up to the hearing date (not just one day).

In closing, I would say that I strongly support electronic legal notice publication, with the clerk being able to provide an affidavit of publication, on a website whether it is managed by the State or by each independent taxing districts' website; this will provide longer exposure of the actual notice; and, reduce cost to our citizens! Without the ability to provide notice at a reduced cost, what does this really do other than make the newspapers job easier, at no real benefit to the taxing district. I have been providing a public hearing schedule on-line since 2001 when the City of Boise agendas went on-line and I continue to provide that information on the City of Wilder website. It currently looks different, but is the same information, but could be placed to look exactly like the newspaper notice, if required. I feel otherwise it will only be a benefit to the newspaper and not the taxing districts or citizens. Additionally, will we have to pay for access to the site to be able to submit and view our notices also?

I appreciate the time you have taken to read this e-mail and I hope that it gives you some "food for thought" on the matter from someone with many years of experience publishing legal notices.

I am available for any questions you may have also.

**Wendy L. Burrows-Severy CMC**  
**City Clerk/Treasurer**  
**City of Wilder**

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