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On Behalf Of:
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Measure, Appointment or Topic: HB3431

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Oregon House Committee on Commerce and Consumer Protection
Oregon State Legislature
Salem, OR

Testimony on House Bill 3431 from Jeb Bladine from McMinnville News-Register and Oregon Public Information Partnership

Chairman Sosa and members of the committee, thank you for this opportunity to talk about publication of legal notices in Oregon.

My name is Jeb Bladine. I'm testifying as Publisher of the News-Register in McMinnville (www.newsregister.com); as president of the nonprofit Oregon Public Information Partnership (www.opip.org); and as a long-time member of the Oregon Newspaper Publishers Association (www.orenews.com).

In 1874, Oregon law first required legal notices to be published in newspapers. Early publication laws were compiled into Lord's Oregon Laws in 1909. In 1918, Oregon voters fixed compensation for publishing legal notices:

Today, more than 100 years later, newspapers still are the place where legal notices should be published.

** Legal Notices warn citizens about new laws and enforcement of existing laws, about new taxes and regulations, and other matters of great public interest.

** Newspapers still are the primary source of regular reporting about those issues. They follow professional guidelines of accuracy and fairness; they provide guaranteed publication and permanent archiving.

** Citizens today know where to find mandatory Oregon legal notices ... In printed newspapers; on newspaper websites; and on the statewide ONPA Legal Notices website. At a minimum, this bill will eliminate the all-inclusive service of that ONPA website; just as likely, it will eliminate that important statewide resource for Oregon legal notices.

Removing legal notices from newspapers will reduce and even eliminate local news coverage of important public issues. More newspapers will close their doors.

This bill would allow anyone with a computer and a minimum interest in community journalism to qualify for legal notice publication. I believe this bill would allow government itself to create “news publications” that would qualify for publication of their legal notices, creating a “fox-in-the-henhouse” scenario.

HB3431 threatens the future of professional watchdog journalism in Oregon.

Please remember: This law is not just about the limited field of municipal legal notices. It is about all legal notices. Recent history shows that many people required to public legal notices in Oregon will seek out the least expensive publication platform without regard to its suitability to reach the intended audience, without regard to proper and permanent archivability.

Working with ONPA, the Legislature crafted a new law on publication of legal notices in both print and digital newspapers. The current law provides simple paths for digital newspaper publications to qualify for legal notices.

This law emphasizes publishing, which is different from news coverage. Many people who will qualify for legal notice publication under this bill will not understand the legal mandates of protecting timely and archived public access to those notices.

Please give Oregon’s new law time to work as intended and reject HB 3431. Let digital publishers in Philomath, Yachats, Eastern Oregon and elsewhere develop their own eligibility for legal notice publication under a law that protects the integrity of those notices as required by carefully crafted law.