



2011-2012
Michigan Legislative Agenda

The founders of the United States recognized that a free press was central to the concept of liberty. The principles used to develop the Michigan Press Association legislative agenda flow from the understanding of the importance of a free and robust press that is mindful of its responsibilities as a source of information for the people.

Public Notice

Newspapers are the most effective and efficient means of publishing wide-reaching public notices.

The Situation.

Some suggest government web sites are better suited than newspapers to publish public and legal notices as required by law. Despite the increasing presence of the Internet in more homes, newspapers still represent the most effective way of publishing wide-reaching legal notices to create an independent, permanent and verifiable record that the government is operating under applicable public notice statutes.

The Solution.

The Internet remains a much less effective way to keep citizens informed of the public notice process. While government says these notices cost too much money, some spend more on baseball umpires than on such notices. It's important a hard copy record exist because these notices are legal documents that prove beyond the shadow of a doubt what notice was provided. Without that, government can end up spending more money administering their own website to host these notices than it costs to print them in the local newspaper. With notices printed in a newspaper, if there are mistakes, taxpayers would have an authentic record to use in court to force government to fix problems. Government web site posting would allow government to cover up mistakes because the internet is constantly changing, and can be corrupted by viruses and other tools used by hackers. Government must also recognize the small, but ever increasing, cost of publishing legal notices and create a market-driven measure for determining appropriate notice rates. As an augmentation to the printed notices in our member papers, MPA is developing a web site that will enable citizens to search for public notices. However, in order for a permanent record to be maintained and archived, they must continue to be printed in the newspapers.

Freedom of Information

MPA believes freedom of information should be the rule and secrecy the exception.

The Situation.

Lawsuits, interpretations, and legal opinions have eroded the Free-

dom of Information Act to the point where it no longer provides the people with a powerful tool to monitor the activities of the government that serves us.

The Solution.

The Freedom of Information Act must be examined to take into account changes which have taken place since its enactment. Exemptions for personal information about private citizens must be tempered with the public's right to know about the affairs of government. FOIA must be strengthened so that it once again achieves its intended goal: the right of citizens to be aware of the workings of their government.

Open Government

MPA believes freedom of the press is not an end unto itself, but a means to achieve a free society.

The Situation.

Michigan's Open Meetings law has suffered over the last few years. Governments have given themselves the authority to meet apart from the general public to discuss matters for which there is a perceived need for secrecy. Public servants are more shielded from the people they serve than ever before and this promotion of secrecy breeds suspicion and disrespect for those we elect to represent us at all levels of government.

The Solution.

MPA recognizes that this is a more complex era and that some discretion is necessary for the efficient working of government, but The Open Meetings Act must be examined and strengthened to ensure that openness, not secrecy, is the principle under which our governments operate.

Taxes

Newspapers are an integral part of their community and employ nearly 15,000 people across Michigan. Fair taxation helps them stay in business.

The Situation.

As the state grapples with structural deficits, various new taxes have been discussed that would pose a serious threat to newspapers' ability to inform the public and provide jobs in their communities.

The Solution.

As the state contemplates how to resolve budget problems, avoid looking at new taxes like an advertising tax that will affect all business and effectively reduce the amount of job providers. In addition to being bad for business, an advertising tax would be an administrative nightmare for the state. Other states that have tried enacting such a scheme have abandoned the effort because it simply didn't work.

Privacy

Ethics and good taste, rather than legal restrictions, should determine the limits between the public's right to know and an individual's right to privacy.

The Situation.

The right to be left alone is one of the most treasured of our civil liberties. But what exactly is meant by the right to privacy remains an unanswered question. The right to shield one's personal information from public scrutiny is certainly more important than the right not to be besieged by telemarketers, yet each falls under this penumbra of privacy. The limits of the right to privacy are vague but the consequences of its violation can be severe.

The Solution.

The conflict between the public's right to know and an individual's right to privacy stems from the collection of personal information for the public good. We must examine our laws to determine whether the data accumulated by the government serves this public good or if that good can be provided by less intrusive means. Reasonable rules regarding marketing activities can be developed to ensure that businesses can attract new customers and citizens can enjoy their privacy.

The Michigan Press Association Legislative Agenda was developed in consultation with the Board of Directors of MPA, the Public Policy Committee and the input of the 320 newspaper members. The issues identified here represent the principal focus for the interaction of the MPA with the Michigan Legislature.

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