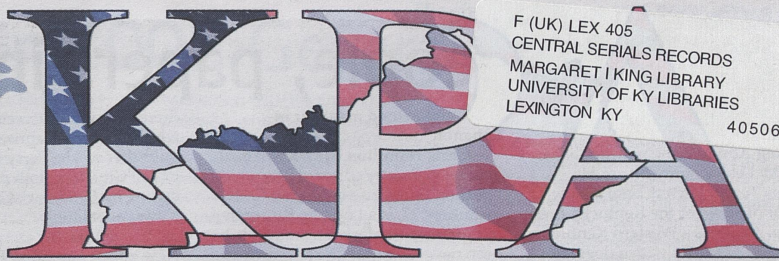


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The Kentucky Press



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Volume 73, Number 5 - May 2002 - Published by Kentucky Press Association/Kentucky Press Service

Board votes to combine KPA contests

The Kentucky Press Association Board of Directors has accepted the recommendations of its Contest Committee to combine the Better and Fall Newspaper contests into one.

The move was necessitated after the board voted at the Fall 2001 Board Retreat to discontinue the KPA Summer Convention after this year's meeting in Gatlinburg. The 2002 KPA Summer Convention will be June 20-22 and will be combined with the Tennessee Press Association.

Registration information has been mailed to all newspapers.

The Better Newspaper Contest

awards had been associated with the Summer Convention while the Fall Newspaper Contest awards are presented at the Winter Convention.

The committee, chaired by John Nelson, met in December and presented a list of recommendations at the January board meeting but noted it wanted to get more information about the contests before making a final recommendation.

The final version was submitted to the KPA board and its April meeting and approved unanimously.

Some of the Better Newspaper Contest categories will be merged into

the Fall Newspaper Contest. The committee noted that some of the BNC categories were duplicated in the KPA Ad Contest and would be deleted from the "editorial" contest.

Categories duplicated in the Ad Contest include Newspaper Promotion, Special Edition/Section, Best Ad Idea and Overall Best Display Advertising.

The BNC is based on layout and design of newspapers with awards going to member newspapers while the Fall Newspaper Contest is geared toward reporting and photography. The FNC awards are presented in the

names of individual staff members.

The new Fall Newspaper Contest, probably to be renamed the KPA Editorial Contest, will include 26 categories, a slight increase from previous years.

The recommendations also included two changes in the FNC:

- combining Category 18 (Best News Picture Essay - Spot or General News) and Category 20 (Best Feature Picture Essay) into one category -- Best Picture Essay - Spot, General or Feature; and,
- combining Category 2 (Best Spot

See CONTEST on Page 12

This year's college seniors were infants when KPA last raised dues

Most of this year's college seniors were born in 1980 or 1981. They've been through diapers, the "Terrible Twos," day care/babysitters, kindergarten, 12 years of secondary education and four years of higher education.

That's the best way to relate to the last time the Kentucky Press Association had a dues increase.

It was part of a three-year plan -- 1981-82-83 -- by the Board to increase KPA dues that hopefully hadn't gone two previous decades without dues being increased.

I'd even bet that half of today's newspapers employees were in school the last time KPA increased dues.

KPA dues are based solely on paid circulation. Take Line C, left-hand column of your statement of ownership and multiply by the dues formula.

For many newspapers, circulation hasn't increased much in those 20 years and if your newspaper's circulation has decreased, then your dues have decreased correspondingly.

Fortunately, KPA dues income has increased. But that's only because

On Second Thought

By David T. Thompson
KPA Executive Director



in 1983, 29 newspapers were not members of KPA. Since 1993, though, all Kentucky newspapers have been members of KPA.

A second reason is because the Board established the Associate Member Newspaper division in 1988.

So what's the point? Doing business has increased. You don't need to be told that. You've increased subscription rates, you've increased advertising rates; you've raised rates for every income source associated with your newspaper sometime, perhaps several times, in the past 20 years.

For KPA, it's more than just that the cost of doing business has increased in 20 years. Look at what you're offered now -- as "free"

See DUES on Page 12

Nelson elected KPA V-P

John Nelson, managing editor of the Danville Advocate Messenger, has been elected vice president of the Kentucky Press Association by its board of directors. Nelson has served on the KPA board since 1995.

The vice presidency became vacant when Sharon Tuminski of the Winchester Sun moved into the office of president-elect earlier this year. That followed the resignation of David Greer, who would have been president-elect for 2002, but instead accepted a position at KPA as member services director.

Nelson first joined the board as chairman of its news editorial division. Two years later, he was elected to a seat on the board.

Managing editor of the Danville daily since January 1997, Nelson supervises an editorial staff of about 20. Before that, he was editor, publisher and co-owner of Pulaski Week in Somerset for 10 years. Previously, Nelson was editor of the Citizen Voice & Times in Irvine for two years.

Along the way, Nelson's career took a detour from journalism from 1974 to about 1985. He spent more than 10 years with Southeast Coal Co. in Irvine. There he held a number of positions, including safety director.



Among his duties were teaching first-aid courses and dealing with federal inspectors.

The experience in another field gave him a perspective that some editors don't have,

Nelson said. Eventually, he returned to college, finished his degree and then returned to journalism.

Why go back after being away more than a decade? Instability in the coal industry, Nelson said, led him back to his previous career. Besides, he said, "I still had ink in my blood."

Over the years, Nelson has been active in civic affairs, including being president of the Bluegrass Private Industry Council 1984-86.

Nelson sees good days ahead for KPA. "I don't think the organization has ever been any stronger," he said.

He's proud of KPA being only one

See NELSON on Page 11

Kentucky people, papers in the news

New publisher, reporter join McLean County News

Greg Abney is the new publisher of the McLean County News. He replaces Teresa Revlett, who is now director of sales for the Kentucky Press Service. Abney is a Western Kentucky University graduate with a degree in English and history.

Jacob Newkirk has joined the News as a reporter. A Rockport, Ind., native, Newkirk worked for the weekly in his hometown where he won several awards from the Hoosier State Press Association.

Hamilton named manager in Lebanon

Chris Hamilton has been named general manager/editor of The Lebanon Enterprise in Marion County. Hamilton, 37, is a London, Ky., native, but grew up in Marion County. He has been news editor of The Enterprise for the past two years. Before that, he was a sports writer and sports editor of the Marion County weekly having started while in high school. In all, he has spent nearly 20 years with the paper.

Active in civic activities, Hamilton and his wife, Dana, have three chil-

dren. Hamilton succeeds Teresa Rice who left The Enterprise to become publisher of The Perry County News in Tell City, Ind. Both papers are owned by Landmark Community Newspapers Inc.

New editor named in Bardstown

Paul South, general assignment reporter for The Virginian Pilot's North Carolina bureau since 1994, has been named editor of The Kentucky Standard in Bardstown, a tri-weekly with a circulation of 9,150. He begins his new duties effective June 1. South,

bringing a diversified news and sports background to The Standard, previously covered local government, the courts, crime, sports, and features as well as writing a weekly general interest column for The Pilot's bureau in Nags Head, N.C. Both papers are owned by Landmark Communications.

South replaces Melissa Newman, who accepted the position of general manager of The Mountain Advocate in Barbourville.

See PEOPLE on Page 9

The Kentucky Press

The Kentucky Press (ISSN-0023-0324) is published monthly by the Kentucky Press Association/Kentucky Press Service, Inc. Periodicals Class postage is paid at Frankfort, KY. 40601. Subscription price is \$8 per year. Postmaster: Send change of address to The Kentucky Press, 101 Consumer Lane, Frankfort, KY. 40601, (502) 223-8821.

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Staff members, Officers and Directors may be reached by e-mail using the individual's first initial, full last name@kypress.com. There is no space or punctuation in the e-mail address.

Deaths

DeRossett, former Middlesboro editor, dies

Lou DeRossett, former editor of the Middlesboro Daily News, died in February 2002. A graduate of the University of Kentucky Journalism School, he joined the Daily News as news editor in 1969 and later became editor. He was editor for eight years and won numerous awards from the Kentucky Press Association.

At one time, DeRossett was co-owner of the Adair News in Columbia. He also served on the KPA board and on the then-KPA Legal Committee.

In addition to his newspaper career, he also taught in the Middlesboro School System and at Lincoln Memorial University. He also served as director of the community development agency in Middlesboro and was assistant property valuation administrator for Bell County for several years.

Anne Pardue, longtime reporter for C-J, dies

Anne Pardue, a reporter who served in The Courier-Journal's Frankfort bureau for more than 35 years, died recently at her home in Frankfort.

She was 73 and had suffered a stroke in recent months.

Stephen Ford, former regional editor and now chief editorial writer at the newspaper, described her as "a very reserved and private person who preferred to be in the background. But she was also the type of reporter who is indispensable to any good news staff - scrupulously accurate and fair. She gave The Courier-Journal and the state many, many years of admirable service."

Pardue graduated from the University of Kentucky in 1949 and worked for the Frankfort State Journal until she joined The Courier-Journal

staff in 1951.

"I don't think there was anything that she didn't cover at one time or another," said Richard Wilson, a retired Courier-Journal reporter who worked with Pardue for 15 years and is now interim director of the School of Journalism and Telecommunications at the University of Kentucky.

"She was extremely versatile as well as being very complete, conscientious and kind. . . . She could be hard-nosed when she was going after information, but never at all belligerent," Wilson added.

An article at the time described her career until then as consisting primarily of "preventing our Frankfort bureau from flying apart into a thousand pieces. She . . . answered the telephone, made the morning coffee and had been nice to visitors."

But her unexpected legislative coverage was described as a job done with "such assurance that might have led a stranger to think her life's career had been devoted to covering intricacies of lawmaking in the upper chamber."

Investigative reporter Livingston Taylor, who retired at the same time as Pardue in 1987, said: "She was a quiet person, soft-spoken, but confident. . . . She was just a fixture there at the Frankfort bureau for many years."

She is survived by a brother, Thomas Pardue Jr., and a sister, Mary Pardue.

Shelbyville press operator dies following an illness

Charles Allen Morehead, 52, of Shelbyville, died April 10 at Jewish Hospital Shelbyville following an illness.

A native of Hardin County, he had worked as a senior press operator at Landmark Web Press in Shelbyville since 1977. Before transferring to Web Press, he worked at Landmark's Elizabethtown printing plant.

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Media fared well in 2002 General Assembly

By
KIM GREENE
KPA General
Counsel
Dinsmore &
Shohl



Whew! We made it through the 2002 General Assembly session. Relatively unscathed. In fact, considering the number of bills the KPA actively lobbied against, the result was an excellent one.

There were 25 bills during this session which so threatened press and public rights to information that KPA felt compelled to oppose them actively. We tracked another seven because they contained language dealing with access to records and we wanted to make sure that right was not amended away during the session. Of all these bills, only four that really concerned us passed both chambers and were signed by the governor.

Telemarketing

House Bill 47, the multi-sponsored bill regulating telephone solicitation (and the subject of another column), was one of the first bills to make it to the governor's desk this session. He signed it on Feb. 6. This bill created the "zero call list" and added a few additional hoops through which companies which telemarket (or the telemarketing firms which do it on their behalf) must jump. HB 47 deleted the exemption enjoyed by newspapers under the old law for solicitation of subscriptions. That means beginning July 15, newspapers must be sure to comply with the labyrinthine array of dos and don'ts when making calls to potential subscribers.

Two other bills, which the governor signed in April, relate to crimes: HB 130 and HB 133. HB 130 was sponsored by Rep. Jimmie Lee and it created a new crime of "video voyeurism." Video voyeurism means photographing or videotaping certain body parts or sexual acts without the individual's consent and publishing the videotape by some electronic means.

Of course, KPA has no official position whether video voyeurism is or should be a crime. Our objections were to a section of HB 130 which dictates what will happen with the photographs, films or videotapes if the video voyeur is prosecuted in court. In that situation, no matter the circumstances, HB 130 requires the court to seal the photographs, film and videotapes that are introduced into evidence. And, at the conclusion of the

case, HB 130 requires the court to destroy those records.

Rep. Gippy Graham incorporated this troublesome language into his HB 133. This bill also prohibits photographing or videotaping certain body parts or sexual acts without permission. Unlike Lee's HB 130, taking the photos is, by itself, a violation of this bill. It does not require any publication of the resulting photos or videos. It does, however, require the court to seal the photographs and videotapes in the court record, and requires the court to destroy them when the case is over.

When these bills, traveling in tandem, reached the Senate floor, Sen. David Karem filed a floor amendment that would have removed the requirement that the court automatically seal and destroy the photographs and videos. Instead, the victim would have the right to ask the court to seal that evidence and the court would have to follow the procedure outlined by the U.S. Supreme Court and Kentucky Supreme Court for closing courtrooms or sealing court files.

Unfortunately, those floor amendments failed and these two bills passed both chambers. Since court records are the primary way the public learns and understands what is going on in its courts, the KPA opposes efforts like this to seal or destroy court records. Thanks to HB 130 and HB 133, court observers will not be able to review the key evidence in the court record of these voyeurism cases.

Names of Jurors

According to the statute on the books before the 2002 General Assembly, the names of jurors drawn from the prospective juror list "shall be made available to the public." KRS 29A.060(13). HB 781 changes that. This bill started out as an effort to raise the pay for jurors, but along the way, that provision was deleted. HB 781 alarmed the KPA because it struck from the statute the language requiring juror names to be made available to the public.

During a legislative committee meeting, Rep. Bob Heleringer attempted to negotiate an amendment which would require names of jurors to be made public unless the judge, for good cause, granted a juror's motion to seal his name for his protection. Unfortunately, the amendment failed after a lengthy debate.

Despite that, all may not be lost. HB 781 amended another section of the existing law regarding jury selection to say that information used in

connection with the jury selection process - which would include juror names - may be made public "upon order of the Chief Justice" of the Kentucky Supreme Court. The chief justice has established a Jury Study Commission which, among other things, will be looking at amendments to the Rules of Administrative Procedure for the courts. The KPA has been invited to participate in that commission and we are hopeful that a rule permitting public access to juror names will be a clear result of the Commission's work.

The rest of the bills we followed were not enacted.

Juror Names

Two other bills were introduced which would have made juror names unavailable to the press and the public: HB 265 (sponsored by Rep. Keith Hall and others) and SB 263 (sponsored by Sen. Bob Stivers). Of the two, Sen. Stivers' bill was less troublesome, since it would have prevented us from getting a copy of the list of jurors but not from seeing the list in the circuit clerk's office. However, when it became apparent that HB 781 was going to be enacted, the sponsors of HB 265 and SB 263 stopped pushing their bills and they died in committee.

Expungement of Court Records

There were three bills introduced which, if passed, would have required or allowed for expungement of particular court records. During the session, we sent you alerts about these bills: SB 97, HB 580 and HB 651. These are bills we actively opposed, testifying several times in committees and contacting numerous legislators for help.

SB 97 (sponsored by Sens. Dick Adams and Bob Stivers) came closest to full passage. After passing the Senate, it appeared to be breezing through the House when it was banished to the Appropriations and Revenue Committee. This bill would have permitted expungement of emergency protective orders - awarded primarily in cases of domestic violence - in certain circumstances.

After the expungement, SB 97 provided that "the proceedings in the matter shall be deemed never to have occurred." In addition to our general objection to rewriting the history of proceedings in the courts, we objected to this bill because it would have concealed judges who are reluctant to enforce the EPO law. Some years ago a newspaper's review of EPO records throughout the state revealed where those pockets of judicial resistance

were. If SB 97 had become law, that type of across-the-board review would have become impossible.

Another expungement bill, HB 580, sponsored by Rep. Johnnie Turner, was particularly troublesome. This bill would have required automatic expungement of court records and all related law enforcement records for any defendant who was acquitted of the crime or who obtained a dismissal with prejudice on any grounds. No motion or hearing was required and there was no opportunity for anyone (the victim, the public, the press) to object. Fortunately, several members of the House Judiciary Committee agreed with the KPA's view and HB 580 was defeated in committee.

The final expungement bill, HB 651, sponsored by Rep. Royce Adams, would have amended an existing statute which allows expungement of certain misdemeanor records upon motion of the acquitted defendant. This bill actually would have narrowed the scope of the existing statute, which would have been an improvement. However, even though the bill was posted in the House Judiciary Committee, it languished there.

Autopsy Records

The death of Dale Earnhardt in a racing accident spawned two bills which would have restricted public access to records of autopsies. HB 582, sponsored by Rep. Greg Stumbo, would have precluded the release of autopsy photos, videos, audio tapes or other visual images. It would have established criminal penalties for violations. This bill made no progress in the House. The other autopsy bill, HB 77, sponsored by Rep. Brent Yonts, passed the House.

This bill started out being much more restrictive than Rep. Stumbo's bill. It would have precluded public access not only to photographs, videos and audio tapes, but also to the autopsy reports themselves and to all "associated records" of the coroner. Thanks to Rep. Yonts' willingness to work with the KPA, the bill was amended in the House to apply only to photographs and videotapes. And a provision was included which would allow a member of the press or public to move the court for permission to view or copy a photograph or videotape of an autopsy for good cause.

The public still would have access to autopsy reports and there would be no sanction against family members

See LAWS on Page 11

KPS staff member is a master of multi-tasking

Advertising Plus

By Teresa Revlett
KPS Director of Sales



She's not a juggler, but Holly Willard knows how to handle multiple tasks in the advertising department. On a normal day, Holly can be found scheduling ads, searching for ads that have been run in newspapers and preparing invoices to be mailed to clients.

Her career with Kentucky Press Service began in 1994 as a reader for the clipping service. She stayed with that job until the clipping service was sold in 1997. Her son, Addim, was born during her first stint with KPS. After GeoTel bought the clipping service, Holly worked as a clipping supervisor there for two years.

"Lots of times there were over 100 clients floating around in my head at one time. I knew I had to keep them all within sight so that I could find their articles quickly and then move on to the next one," said Holly about her clipping career.

Now instead of clipping, Holly sees the ads beforehand. If co-worker Tami Hensley has trouble finding an ad in a newspaper sometimes she will call on Holly's keen eye to see if she can find it.

"I think sometimes you can look for something too long and it makes it harder to find it. After working in the clipping department for that many years it seemed to come naturally to me," said Holly.

In January 2002, Holly joined the business office helping out with bookkeeping. Now she is the Indiana Newspaper Advertising Network business clerk. That job calls for her to handle accounts payables and receivables. She still enters ad orders for Kentucky and Indiana and keeps on top of tearsheets to make sure that the invoices go out complete.

"Holly is another one who spent most of her time with KPA/KPS in the clipping service. I don't know that I've ever heard her say she didn't think she could do something. She's got a really good attitude about work and is willing to take on any task. She had no accounting experience but because of her ability, we wanted her to handle most of the billing procedures for the Indiana Newspaper Advertising Network," said David T. Thompson, KPA executive director.

"Having Holly join the business office as the Indiana Newspaper Advertising clerk has proven to be very beneficial to our department, although at times, Holly may not feel this way. She is a dedicated employee and works hard to get the job done," said Bonnie Howard, KPA controller.

The best part about her new job is

when a month closes on track. With no prior knowledge of bookkeeping, Holly felt like that was a real accomplishment.

"Closing a month is wonderful. Last month I closed for the first time with everything happening just like it was supposed to," said Holly.

Dealing with the bookkeeping side of the business has caused Holly to take a different look at the importance of the paperwork that she filled out before.

"I used to not realize what all went into Bonnie Howard's (controller) and Buffy Sams' (bookkeeping assistant) jobs. They are the best teachers in the world. I think they have shared some good life experience knowledge with me," said Holly.

One of Holly's frustrations comes when newspapers fail to run ads that are scheduled through KPS or INAN.

"The phone is our friend. I wish newspapers would call if they don't receive an ad in time to run it. The earlier we know about it the sooner we

can try to get that ad re-scheduled. That's money for our newspapers and it keeps the clients happy," said Holly.

No matter how much money clients spend with KPA and INAN, Holly says that she tries to treat all of them like they are the most important

client at the time that she is working on their account. She takes that same philosophy about the newspapers that she works with.

"Regardless of whether the client spends \$2 or \$200,000 we want them to use our newspapers to help them make money for their business. I want them to know that newspapers are the best way to get their message out," said Holly.

In her spare time, Holly and her husband, Stephen, are remodeling a home in Frankfort for their family. They enjoy all of the activities that their 7-year-old son is involved in including Boy Scouts.



Holly Willard smiles at her desk on the upper floor of the Kentucky Press Association/ Kentucky Press Service building in Frankfort. Holly is the Indiana Newspaper Advertising Network business clerk and KPS advertising assistant.

Principal says editorial criticizing discipline not fair or balanced

By Steve Lannen

HERALD-LEADER STAFF WRITER

The future of the student newspaper at Tates Creek High School in Lexington is unclear after the last edition contained an editorial the school principal calls unfair.

"I have just told the sponsor that until further notice, the newspaper may not be publishing in May," principal Bob Gardner said. "I haven't made a final decision."

A staff editorial in the April 11 edition of the Masthead complained about inconsistent discipline of students.

Based upon interviews with unnamed sources - including an athlete and a student office helper - the editorial contended that rules are bent for some students, such as athletes.

Gardner said his concern with the editorial was its apparent blanket indictment of coaches, counselors, law enforcement officers and the school

administration.

"I understand it's an editorial and it's an opinion. But, I'm really not sure that some of their opinions were based on fact," he said. "There was no effort to seek out the 'other side of the story.'"

Student newspaper staffers stand by the editorial. "I think the administration is avoiding the issue rather than realizing we're giving them a tip here," said senior Jim Lerza, the paper's top student editor. "Countless teachers have said, 'Now I'm really glad the (paper) said that.'"

The newspaper is produced for a grade in a journalism class of 15 students. The paper is printed and sold about six times each school year.

The final edition of the paper, due out in May, is sentimental for students because it contains senior wills -- messages written by seniors to friends and underclassmen. The seniors pay a fee to have their messages published.

Lerza said the staff needs to know Gardner's decision by today. If there is no paper, they'll have to refund \$500 collected for senior wills, Lerza said.

Gardner, who was unsure when he will decide, said he appreciates the service the paper provides, but wants the journalists to consider the consequences of what they publish.

"Students don't understand how powerful the press is," he said. "I'm hoping to use this as a teachable moment."

Students said they are especially frustrated because Gardner could have vetoed the editorial before publication. A 1988 U.S. Supreme Court ruling allows public school principals to

review and change a paper's content.

But Gardner said he didn't look at the opinion piece because he normally reads only items the paper's adviser,

Amanda Tanis, flags as controversial. Tanis deferred comment to Gardner.

Junior Hilary Konkright said students question the administration's response.

"It's a student newspaper, and when we use it to voice our opinions, it's censored," she said. "I don't think it's fair."

Mathematics teacher Maureen Batts said stu-

dents exercised their free speech and raised an issue. She sees nothing wrong with that. "These kids noticed there are rules not being enforced," she said. "There are things not being handled consistently. I agree with that." (Reprinted with permission.)

"Students don't understand how powerful the press is. I'm hoping to use this as a teachable moment."

- Bob Gardner
Tates Creek High School Principal

Traveling Campus attracts 428 registrants

By Teresa Revlett
KPS Director of Sales

There was definitely something for everyone at the Kentucky Press Association / Southern Newspaper Publishers Association traveling campus for 2002. The training seminars were conducted April 17-20 at the Hurstbourne Hotel and Convention Center in Louisville.

The Louisville program set a new attendance record for SNPA. A total of 428 employees from 58 newspapers attended the program in Louisville. This was the seventh traveling campus for SNPA so far. There are 16 others planned in the south before the end of 2002.

"I don't know any other newspaper professional group that has touched so many people with so much quality information and at a time when it was needed most by our industry," said Dolph Tillotson, chairman of the SNPA Foundation and publisher of the Galveston County Daily News. "We're very proud of that accomplishment."

Wednesday's sessions dealt with readership, computer assisted reporting and improving writing skills. Another session took on essential skills for new managers. On Thursday, participants were led in copy editing, succeeding in ad sales, single copy sales and extraordinary customer service. Friday brought sessions on telephone selling skills, building home delivery circulation, design and graphics and photojournalism.

A separate Saturday session was offered through KPA / SNPA Foundation and the Southern Interscholastic Press Association for high school journalism advisers.

Barbara Bennett, special publications editor for the Owensboro Messenger-Inquirer, gave the sessions high marks.

"The ideas and information presented in the workshops were targeted to everyday situations that I encounter. Instructors clearly understood our medium, its routines and daily excitements. They offered solid research with immediate application to such concerns as building readership, subscriber, and sales. The handouts were great.

"I enjoyed the consultant who taught the circulation workshops. His information was based on solid research. I also enjoyed the fact that he was an over achiever. He offered dozens and dozens of ideas and lots of handouts. He counseled us to focus on just 3 or 4 ideas that we thought would



A packed classroom listened to Mike Anders' presentation Wednesday afternoon in Louisville. Registration for the SNPA seminar in Louisville topped 600. (More photos on pages 6 and 7)

work for us. That helped me feel enthusiastic about implementing a few, manageable ideas, instead of overwhelmed by all that I should be doing."

Evaluation forms were given to all participants. The compilation of the evaluation forms showed that on a scale of 1-5, with five being the highest, 4.09 was the rating for "training met expectations." There was a 4.2 rating with the "usefulness of material presented" and 4.43 on "effectiveness of speakers."

"Traveling campus programs are held in locations designed to allow even the smallest newspapers to participate fully by sending staff members to the seminars without bearing the cost of air fare or an overnight stay," Tillotson said. "In just five months, we have offered free, professional training to more than 2,000 men and women, many of whom were attending their first professional training seminar."

The traveling campus is funded by a grant from the John S. and James L. Knight Foundation. There was no charge to KPA member newspapers' staffs for attending the SNPA sessions.

SNPA has conducted seminars of this type in Alabama, Arkansas, Florida and Georgia. Others are planned in Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.

In coming months, the Traveling Campus will be presented in three locations in close proximity to Kentucky - Nashville, July 31-Aug 2; Knoxville, Oct. 30-Nov. 1; and Charleston, W. Va., Oct. 2-5.

For more information, check the SNPA Web site at www.snpa.org and check the right side of the page for information on the Traveling Campus.



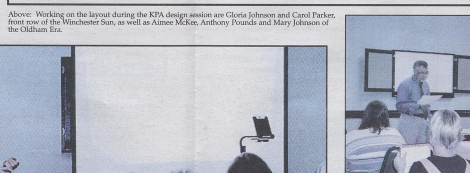
Ed Staats, Kentucky bureau chief for the Associated Press since 1984, retired at the end of April. Some 80 media representatives gathered in Frankfort April 23 for a retirement luncheon honoring his service and his friendship to Kentucky media. A group of newspapers presented Ed with a shotgun so he could get more serious about his new hobby, a form of skeet shooting. Frankfort State Journal editor Carl West, who is tutoring Ed, said his teaching will take a while. "He can't even hit a barn yet."

Right: Joe Hedges talked to participants about essential skills needed for new managers. Also participating in this session as a leader was Clay Hartswood, publisher of the Times Leader in Princeton. Joe is a Murray State University professor.

Below: Newspaper representatives from the layout and design side took part in the Kentucky Press Association Spring Ad Layout and Design seminar. From row, Rocky McCoy and Melinda Cox of the Central Kentucky News Journal, design team editor. The composition staffs took their turn designing ads and allowed their fellow seminar attendees to comment on the finished products.



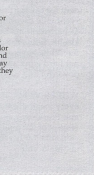
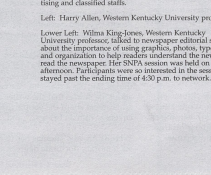
Below: Rod Robinson, district circulation manager for the Lexington Herald-Leader, enjoys the first KPA/SNPA training session.



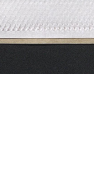
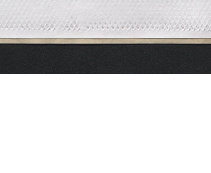
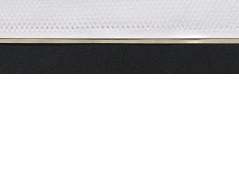
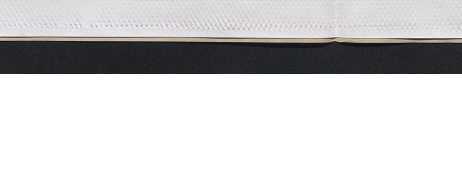
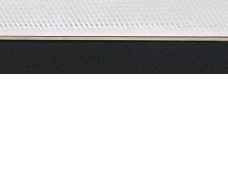
Upper Left: Joe Inel, photo editor of the Daily News in Bowling Green, intrigued the audience with his creative skills during the SNPA session on Friday afternoon. Inel encouraged the group to use the equipment they have and to be more creative using their own instincts.

Upper Right: Chris Schlatter and Joey Samples, graphic artists for the advertising department at The Courier-Journal, used their creative skills to sketch a tire ad during the Thursday session sponsored by KPA. Participants sketched rough drafts on their own then got up in front of the crowd to show their skills.

Right: Those attending the copy editing session by SNPA worked in groups to utilize better problem solving skills. Editorial staffs were given essential skills needed to successfully do their job during the Thursday seminar. Susan Mattingly, a freelance writing coach, facilitated the session.



Right: Don Michel talked to a classroom of participants during a session on Friday dealing with building home delivery. There were 24 participants in this session with 75 percent traveling more than 50 miles to attend the seminar.



Below: Design staffs took their turn designing the perfect pocket watch ad during the Friday afternoon KPA layout and design seminar. The session was led by Jerroa Revlett, KPA Director of Sales.



Above: Mike Anders of Anders and Associates talked to a classroom full of newspaper personnel during one of the Southern Newspaper Publishers Association sessions on Wednesday afternoon.



Above: Stephanie Hornback tried her hand at designing the perfect ad during the SNPA Thursday session for advertising and composition staffs.



Above: David Dooce talked about what he learned from the Readability initiative to a crowd at the opening session of the SNPA, Bowling Campus.



Above: Carol Richer of Sales Training Plus offers tips on extraordinary customer service during a Thursday SNPA session. Richer offered tips for editorial, circulation, advertising and classified staffs.

Left: Harry Allen, Western Kentucky University professor

Lower Left: Wilma King-Jones, Western Kentucky University professor, talked to newspaper editorial staffs about the importance of using graphics, photos, types, color and organization to help readers understand the news and read the newspaper. Her SNPA session was held on Friday afternoon. Participants were so interested in the session they stayed past the ending time of 4:30 p.m. to network.

EKU journalism students receive scholarships

Several KPA summer interns have been awarded scholarships for the upcoming academic year at Eastern Kentucky University thanks to contributions from a journalism alumna.

The recipients of the \$1,500 journalism scholarships include Jennifer Rogers, a junior from Lancaster, who is editor of *The Eastern Progress*. She was a KPA intern at the *Danville Advocate-Messenger* last summer and will intern at the *Paducah Sun* this summer.

Sarah Heaney, a senior from Stanford; and Jamie Vinson, a junior from Mount Sterling, also were recipi-

ents. Heaney, managing editor of the *Progress*, will intern at the *Flemingsburg Gazette* this summer as part of the KPA's summer internship program.

Vinson is an intern at the *Lexington Herald-Leader* and has been a KPA summer intern at *The Winchester Sun* and the *Mount Sterling Advocate*.

Cassandra J. Kirby, a freshman from Hindman, was also selected for the scholarship. Besides earning a high GPA, Kirby also worked as assistant sports editor for the student newspaper, *The Eastern Progress*, and has

worked in the office of her hometown newspaper, *The Troublesome Creek Times*.

The scholarships were funded by Chryssa Zizos, who graduated from Eastern in 1994 with a degree in journalism. Now 30, she is president of Live Wire Media Relations, a public relations firm she founded in the Washington, D.C. area.

Her donation to the journalism program is designed to help outstanding students pursue their education while working for the student newspaper and in professional internships.

EKU to host high school journalism teachers

Eastern Kentucky University will hold its 2002 High School Journalism Workshop on Friday, Sept. 20. The session will be held in the Perkins Building on the EKU campus in Richmond.

Further details about the workshop will be forthcoming.

State Senate honors Kentucky native Helen Thomas in Senate Resolution 250

Renowned White House journalist and Kentucky native Helen Thomas was honored by the state Senate on April 2 with Resolution 250.

Thomas, born in Winchester, has spent 60 years in journalism and 40 of those were spent covering the White House.

Thomas visited Kentucky in September 2001 and spoke at the Southern Governors' Association meeting in Lexington. Now a columnist for the *Hearst Newspapers* and

longtime UPI correspondent, she reflected on how history has shaped the presidency and its relationship with the American people.

Senate Resolution No. 250:

A RESOLUTION honoring veteran American journalist Helen Thomas.

WHEREAS, Helen Thomas is a legendary veteran journalist of almost sixty years, with forty of those years spent covering the White House; and

WHEREAS, Helen Thomas was born in Winchester, Kentucky, in 1920, and raised in Detroit, Michigan, by her Lebanese immigrant parents who she credits with instilling in her a strong sense of morality, a love of learning, the value of education, and a passionate sense of justice; and

WHEREAS, in 1943, her journalism degree from Wayne State University in hand, Ms. Thomas went to Washington, her sights set on getting a reporting job; and

WHEREAS, beginning with her copy-aide job at the *Washington Daily News*, and continuing as correspondent for *United Press International*, eventually covering the FBI, the Justice Department, the Department of Health, Education and Welfare, and the White House, Ms. Thomas turned her hard work and expertise into a powerful and successful career; and

WHEREAS, Ms. Thomas chronicled every major event of the White House and Presidency since 1961, earning the respect of the public and her profession alike for her fair and accurate accounts; and

WHEREAS, Ms. Thomas was the only print journalist traveling with President Nixon to China during his historic visit to China, has traveled around the world several times with Presidents Nixon, Ford, Carter, Reagan, and Bush, and during the course of which she covered every economic summit; and

WHEREAS, the "lady in red" from her front row seat in White House press conferences, is known for her signature "Thank you, Mr. President" at the end of press conferences and for asking the tough questions to nine U.S. Presidents, those questions once described as "a mixture of journalism and acupuncture;" and

WHEREAS, Helen Thomas became well known for her stamina, energy, enthusiasm, determination to seek and report the truth, sixth sense regarding impending events, deep respect for the Presidency, and passionate caring for her work, family and friends; and

WHEREAS, Public Broadcasting System interviewer Mike McCurry said of Ms. Thomas, "She cares about things. She has a real soul. She cares about the stories that she writes about and careers about the people that she covers as human beings..." and

WHEREAS, Ms. Thomas has twenty-six honorary doctorate degrees and

numerous journalism awards and was the first woman officer of the National Press Club in its 90-year history, is the first female member of the Gridiron Club in its 90 years of existence and the President and first female member of the 50-year-old White House Correspondents Association, and was named in 1976 by the *World Almanac* as one of the twenty-five most influential women in America; and

WHEREAS, after retiring from *United Press International* in the year 2000, Helen Thomas, at age 82, continued to be a working journalist, serving as a syndicated columnist for *Hearst Newspapers*, lecturer, teacher, and popular speaker; and

WHEREAS, as a woman who broke many barriers to aspiring women reporters, Ms. Thomas has said that she feels immensely privileged to have covered the White House and that "to live in that house is the greatest honor that can come to anyone, since it symbolizes the public trust that presidents hold.;" and

WHEREAS, regarding the trust held by journalists, she has written "...as for reporters, we also hold a trust: to seek the truth and to keep faith with the

people's right to know. In doing so, we must let the chips fall where they may.;" and

WHEREAS, Ms. Thomas also wrote about her profession, "Too often we are seen as prosecutors, judge and jury. But I believe we serve the people best when we refrain from those roles for which we have not been chosen and instead present the facts as objectively as possible. That is the best way we can serve the public good.;"

NOW, THEREFORE,

Be it resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:

Section 1. The Senate does hereby commend and applaud the career and professionalism of journalist Helen Thomas. We are proud that Ms. Thomas' birthplace is Winchester, Kentucky, and that we can, therefore, call her a daughter of the Commonwealth of Kentucky. Our best wishes go with her in her continuing endeavor to provide accurate and fair information to the American public.

Section 2. When the Senate adjourns this day, it does so in honor of Helen Thomas and her remarkable career as an American journalist...



PEOPLE

Continued from page 2

Baker is reporter in Shepherdsville

Sarah Baker is a staff writer for the Pioneer News in Shepherdsville. She graduated from Northern Kentucky University with a degree in journalism. While attending NKU, she was a staff writer and general manager of the university's paper, The Northerner. She previously did ad sales for the Community Recorder in Northern Kentucky and Raycom Media in Knoxville, Tenn.

Clark is ad manager at Henry County

Tiffany Clark, advertising representative at the Henry County Local, has been promoted to advertising manager at the paper. As ad manager, she will assume the duties previously performed by general manager Melissa Blankenship.

Davis is reporter/photographer in Benton

Johnnie Faye Davis has joined the Benton Tribune-Courier staff as a part-time writer and photographer. It marks her second stint at the paper. She began as a receptionist at the Tribune-Courier in 1977 and went on to work as a photographer, writer and advertising assistant. She eventually took a break to raise her family. In the meantime, she has done free-lance writing and photo work before returning to the paper.

Coomer is new circulation manager in Beattyville

Delbert Coomer has joined the staff of The Beattyville Enterprise as circulation manager. In addition, he will also cover some news events for the paper.

Discount offered to KPA members

Interlink, a manufacturer of newspaper circulation management software, is offering a discount to KPA members.

With new postal regulations expected to take effect in July, Interlink has decided to make its software available to as many publishers as are interested and give them an incentive to do so before the changes occur.

Interlink is offering a 10 percent discount to all KPA members who order software before May 31.

For more information, contact Interlink at (626) 473-3103 or visit their Web site at www.totalcirculation.com.

Promotion to benefit Relay for Life

For the fourth consecutive year, the Taylor County Relay for Life will benefit from the sale of new subscriptions to the Central Kentucky News Journal in Campbellsville. For each new subscription sold of six months duration or longer, the CKNJ will contribute 50 cents to cancer research.

Herndon is sports editor in Lawrenceburg

John Herndon, a former free-lance sports writer, has been named sports editor of The Anderson News by publisher Don White.

WKU students win awards

Western Kentucky University seniors have been recognized in the 42nd annual Hearst Journalism Awards Program.

In sports and news photography, Jeremy Lyverse of Prospect finished seventh and Thomas Cordy of Huntsville, Ala., finished 11th. Lyverse and WKU's School of Journalism and Broadcasting will receive \$500 awards.

In sports writing, Ryan Clark of Louisville finished ninth and Taylor Loyal of Roanoke, Va., tied for 14th. Clark and the School of Journalism and Broadcasting will receive \$500 awards.

The Hearst Journalism Awards Program recognizes excellence in writing, photojournalism and broadcasting. WKU has won the overall intercollegiate title for the past two years.

New Era earns ad awards

The classified ad department at the Kentucky New Era received two silver awards at the annual Southern Classified Advertising Manager's Association conference. The awards were presented for the best special section for the paper's 2001 Love Notes tab and in the best multiple participation ad category for the 2001 Back to School Safety Game.

KHSJA convention sets record attendance

More than 785 students attended the Kentucky High School Journalism Association's annual statewide convention on May 1 in Louisville. More than 850 attended the convention's awards luncheon. That makes the 2002 KHSJA convention the largest ever.

More than 30 journalists made presentations to students. The results of the popular KHSJA contest were announced at a noon luncheon. David Hawpe, vice president and editorial page editor of The Courier-Journal,

The Hopkinsville paper competed against newspapers with circulation under 50,000 for the special section award and against all papers in the multiple participation ad category.

Pierce joins Paintsville paper

Chris Pierce is a new addition to the Paintsville Herald's editorial staff. At present, Pierce is assisting sports editor Jason Hurt in writing and photography.

Popular advice column returns

After a 32-year hiatus, Mrs. Blank, an advice column, has returned to the Salyersville Independent. The column, locally written, appeared in the paper from 1938 to 1970. Mrs. Blank gave highly sought after advice on all types of personal issues. The original Mrs. Blank was Martha Boyd Williams of Salyersville.

Gartner, partner buy weeklies

Michael Gartner, former editor of The Louisville Courier-Journal, and a media partner, Gary Gerlach, have bought two West Virginia weeklies. They bought the Jackson Herald, Jackson Star Herald and the Star Herald Weekender, a shopper, along with a printing plant from CNHI of Birmingham, Ala.

New West Newspapers Inc., the company owned by Gartner and Gerlach, also owns several weeklies in Colorado, Nebraska and Kansas. The company also does commercial printing in Nebraska. In 1999, Gartner, a former NBC News president and winner of the Pulitzer Prize for editorial writing, and Gerlach sold the Daily Tribune in Ames, Iowa, and other central Iowa papers after buying the Iowa Cubs, a Chicago Cubs Triple-A minor league baseball team.

New sports writer for Henry County

David McKee, an Indiana native who recently moved to Kentucky from

Florida, is a new sports writer for the Henry County Local. David comes from a newspaper family because his father, Mark McKee, is general manager and ad manager for the Carrollton News-Democrat and his mother is the classified ad representative at the Oldham Era. All three papers are owned by Landmark Community Newspapers Inc. McKee was a sports correspondent in Florida for the Citrus County Chronicle.

Suit dismissed against Herald-Leader

A discrimination suit against the Lexington Herald-Leader has been dismissed. In the suit, Dwayne Coates claimed the paper withdrew a job offer after it learned that he was infected with the virus that causes AIDS. According to a brief published in the March 6 issue of the Herald-Leader, Coates was offered a job on March 6, 2000, contingent on passing a drug screening.

The paper filed for summary judgment in February of this year. Fayette Circuit Judge Thomas L. Clark found for the Herald-Leader Feb. 25 after no one representing Coates appeared in court to oppose the motion three days before.

Herald-Leader Publisher Tim Kelly was quoted in the news brief saying the suit was baseless.

Cadiz employees recognized in KIPA contest

Two Cadiz Record employees, both college students, have been honored by the Kentucky Intercollegiate Press Association for their work on News & Views, the Hopkinsville Community College student paper.

Mindy Cunningham and Jennifer Wallace were recognized by KIPA in March. Cunningham took honorable mention in the front page layout category while Wallace won first place for advertising campaign and third place in advertising design. At The Record, Cunningham is features editor and Wallace is advertising designer.

For Sale:

Jobo Autolab 2000 color film processor, tempered water panel included.

- It is completely automatic. •
- It also comes with
 - fill rollers
 - canisters
 - dryer.

If interested, call the Appalachian News-Express at (606) 437-4054.

The 2002 Telemarketing Bill - What does it mean to Kentucky newspapers

In March, Gov. Paul Patton signed into law HB 47, a bill dealing with telephone solicitations. Since many Kentucky newspapers use telephone solicitations for subscriptions, it's important that we all understand the new rules of the game.

HB 47 amended an existing law concerning telephone solicitations, KRS 367.46951-.46999. The greatest change is the creation of the zero call list. Any person who chooses to put his or her name on this list (maintained by the Attorney General's Division of Consumer Protection) ensures that no Kentucky unsolicited telephone solicitations will be made to his or her home telephone number. (That sounds like double talk, but the law allows for the possibility that a person on the zero call list might still invite a solicitation call from a particular vendor. For example, Mr. Zero Call could sign a form requesting a call when he visits that vendor's booth at the State Fair.) Once on the zero call list a name remains there until its owner asks to remove it.

The zero call list will be made available at no cost to any company or telemarketing company subject to this law. Once each quarter, the zero call list will be updated and distributed in hard copy and electronic versions. The law requires the electronic version to be searchable. The law also requires that the merchant or telemarketing company may only use this list for the purpose of preventing telephone solicitation calls to persons whose names appear on the list.

Aside from the zero call list, this Act provides dos and don'ts for companies making telephone solicitations. To know whether those rules apply, you need to know what calls come under the definition of "telephone solicitation." That term includes calls that your employees (or hired telemarketers) would make to potential subscribers, where the purpose of the call is to solicit a subscription or obtain information that may be used for the solicitation of a subscription.

The Act then goes on to carve out several examples of telephone calls which would not fall within the definition of "telephone solicitation" and, therefore, would not be subject to the dos and don'ts in the Act.

First, if you mail an unrequested notice to potential subscribers who have not previously subscribed, and a potential customer makes inquiries (for example, by returning a pre-addressed stamped postcard), your telephone call (or facsimile transmission) to respond to those inquiries is

not necessarily a "telephone solicitation" under the Act. Your telephone calls are subject to the Act IF the notices the newspaper initially mailed to the potential subscriber contained any of the following:

1. A statement or implication that the potential subscriber has been specially selected to receive the notice or offer contained in the notice;

2. A statement or implication that the potential subscriber will receive a prize or gift if he calls the newspaper or its telemarketer; or

3. A statement or implication that a paid subscription will come with an additional gift or enticement.

If your mailed notification does none of those things, the call you make in answer to the potential customer's response card is not covered by the Act.

The definition of "telephone solicitation" also excludes any telephone call to someone with whom the newspaper "has a prior or existing business relationship" (e.g., current or lapsed subscriber) and any call made in response to an express request of the person called, unless the request was made during a prior telephone solicitation.

If the solicitation call that you want to make does not fall within one of the above categories, your call is covered by the Act. However, the Act does not absolutely prohibit "telephone solicitations." Instead, it contains dos and don'ts for the person making the telephone solicitation. Taken together §2 of the Act (which lists the conduct which is prohibited) with KRS 367.46953 of the existing statute (which lists the affirmative requirements for making telephone solicitations), newspapers soliciting subscriptions by phone must follow these rules:

1. As soon as someone answers the phone, the caller must state his actual name, the newspaper's name, the newspaper's telephone number or address and the city and state where the caller is physically located;

2. Within the first 30 seconds of the call, the caller must ask if the consumer is interested in listening to a sales presentation about the newspaper, and if the consumer says no, the caller must immediately close the conversation;

3. The consumer may not be asked for a credit card number unless several rules are followed. Those rules include: before submitting a charge to the consumer's credit or bank account, the newspaper/telemarketer must receive a signed copy of a written contract or order for the subscription or, if

there's no written contract or order, the newspaper must wait until 14 days have elapsed after the delivery of the first newspaper to the consumer and the consumer has not called to cancel the subscription and request his money back.

4. The caller must ask if the person answering is 18 or older and may not solicit a subscription from anyone under 18

5. May not block caller ID;

6. May not let the telephone ring more than 30 seconds;

7. May not call a person who has previously said he does not wish to receive solicitation calls from the newspaper;

8. May not call anyone on the zero call list;

9. May call only between 10 a.m. and 9 p.m. local time at the called person's location

10. May not threaten, intimidate or use profane language or act in a way a reasonable person would consider annoying, abusive or harassing. There are 19 categories of prohibited conduct in the statute. These are the ones that seemed pertinent to newspaper subscription calls. The entire list is found at KRS 367.46955, as amended by HB 47. So long as newspapers comply with the requirements listed above, they may call non-subscribers with whom they have had no recent relationship.

They may call people who accepted the newspaper's direct-mail offer of X weeks free to encourage them to pay to continue the subscription. They may call people to whom they have sent X unsolicited weeks free to encourage them to continue a paid subscription - so long as the newspapers comply with the dos and don'ts in the Act.

If anyone who put her name on the zero call list wishes to complain that she, nevertheless, received a telephone solicitation, the Act requires the complainant to be in writing and verified by the claimant. The claimant can complain to the attorney general or can file a lawsuit. In either case, the Act provides that the newspaper (or merchant or telemarketer) can state as a defense that it has the current zero call list and makes reasonable efforts to avoid calling persons on the list.

The same is true for complaints about violations of the other requirements of the Act, that is, the dos and don'ts of making telephone solicitation calls. If someone accused the newspaper of that, the newspaper could defend on the basis that it has established and carefully implemented reasonable practices and procedures to

prevent violations of the Act.

Before HB 47 becomes effective on July 15, every Kentucky newspaper should take care to do two things. First, put into place procedures for making telephone solicitations which comply with the Act.

Second, educate anyone who might make telephone solicitation calls on the newspaper's behalf as to the dos and don'ts set out in this law and the newspaper's procedures for compliance with the Act.

There's strong incentive to comply. The Act provides for civil penalties of up to \$5,000 for each violation. The attorney general enforces those penalties and may, according to the Act, compromise the amount of the penalty based upon the gravity of the violation, the number of times that company/telemarketer has been cited, that company's/telemarketer's good faith intent to comply after notification of the violation, and the financial resources of the company/telemarketer.

In addition to the civil penalty, the Act provides for criminal penalties for violations of the zero call list requirements. It is a Class A misdemeanor to use the zero call list for any other than its intended purpose. It is a Class D felony if a company or telemarketer knowingly and willfully makes unsolicited telephone solicitation calls to people on the zero call list three times during one calendar year.

Any newspaper which engages the assistance of a telemarketing firm to assist with telephone solicitations, should also take note of two other sections of the Act. The Act requires a telemarketing company doing business in Kentucky to obtain a license to do business from the Consumer Protection Division of the Office of the Attorney General on an annual basis. The fee to be paid each year is \$300. The telemarketing company must also maintain a bond issued by a surety company in the amount of \$50,000. The proceeds of the bond would be used to compensate any individual injured by the telemarketing company's violation of the Act.

If you have any questions about HB 47 or telephone solicitation calls in general, don't hesitate to call your Hotline Attorneys:

Jon L. Fleischaker: (502) 540-2319
Kimberly K. Greene: (502) 540-2350
R. Kenyon Meyer: (502) 540-2325
Cheryl R. Winn: (502) 540-2334
Lora S. Morris: (502) 540-2373

LAWS

Continued from page 3

who shared photographs with the news media. Ultimately, this bill did not become law. Another bill that would have made autopsy reports, photographs and associated records private was SB 17. Its sponsor, Sen. Ray Jones, withdrew his bill.

Newsgathering

A bill filed by Rep. Keith Hall, HB 119, would have had a devastating effect on many news reporters' newsgathering practices, as the bill originally was written. HB 119 would have amended the statutory definition of eavesdropping to eliminate the one-party consent rule. Of course, Kentucky has operated under this rule — which states that a party to a conversation may surreptitiously record that conversation — for many years. Lots of reporters, for very good reason, record interviews with many sources.

A floor amendment, for which KPA lobbied, would have exempted journalists engaged in newsgathering activities. Even with that modification, the bill was troublesome and several newspapers editorialized against it. It did not clear the House.

Open Records/Meetings

We thought that SB 136, sponsored Sen. Dick Roeding, was on the fast track through the General Assembly. This bill would have amended the Open Records Act and the Open Meetings Act to make confidential information related to security in airports, public hospitals and every facility owned, leased or operated by state government. It was very broadly written and KPA feared it would be used by many public agencies to justify turning down records requests which were only remotely — if at all — related to security. The bill would also close public meetings at which such security information was discussed.

Whenever SB 136 was discussed in committee or on the Senate floor, senators lined up to proclaim their patriotic support for, and the virtues of, this bill in the aftermath of Sept. 11. KPA's efforts to restrict the overly broad scope of the bill and to insert a two-year sunset clause into it were rejected.

Before the session began, Gov. Patton's office had examined whether a measure such as SB 136 was necessary because of the events of Sept. 11. Patton had concluded that it was not, and that the existing open records and meetings laws would suffice. Perhaps that sentiment held some sway when SB 136 arrived at the House. It was bottled up there.

A bill sponsored by Sen. Dick

Adams, SB 19, did not progress through the Senate. That bill would have expanded to seven days (from the current three days) the time an agency had to respond to an Open Records Act request.

HB 172 would have amended the Open Records Act to prohibit the disclosure of public records for commercial purposes. The bill's language was too broad to be enforceable without grinding the business of state government to a halt. Its sponsor, Rep. John Vincent, agreed to work with the KPA's concerns. He ultimately withdrew the bill.

Perhaps the most disturbing bill relating to open meetings/records was SB 281, sponsored by Sen. Walter Blevins. This bill would have taken from the attorney general the responsibility of writing open records and open meetings opinions. It would have created a new Open Records Commission made up of five appointees. This commission would review any open records and meetings appeals.

In our view, there's nothing "broke" about the current system. The attorney general's office has greatly improved its turnaround time on responding to open records/meetings appeals and meets its statutory deadline more often than not these days. That office has developed an expertise in the interpretation and application of the open records and meetings laws.

The process is operating as smoothly as possible. Why, then, replace it with a five-member commission? These commissioners, who will likely all have full-time jobs, would not be available to meet regularly enough to meet the same statutory deadlines for responding to appeals. It would slow the process down tremendously. It would also inevitably add to the cost of the process. We don't see any benefits to this bill. **Slots and Communication Excise Tax**

Fifteen representatives sponsored HB 768, an effort to aid the thoroughbred horse racing industry in Kentucky by allowing electronic gaming at racetracks. The KPA's review of this lengthy bill revealed a half-dozen sections which would have restricted public access to records or meetings. The bill drafters and sponsors were amenable to working with us and adopted all of the changes we proposed. So, had HB 768 passed, it would have posed no access concerns to the public or press.

Rep. Harry Moberly's HB 865 was perhaps introduced too late in the session to be thoroughly studied by the House. That is probably fortuitous, since it would have imposed a 7.1%

communications excise tax on the sales price of any communications services. This would include cable and satellite television, radio, Internet, telephone services (including cellular/mobile), telegraph, teletype, voice mail and other media. This bill could have had a far-reaching financial impact on a lot of newspapers which use these various media. HB 865 did not progress through the House but, like several of the other bills which did not pass this session, is expected to be reintroduced next year.

KPA put a lot of time and resources into this General Assembly. Our efforts, it appears, were largely successful. Thanks to all of the KPA member newspapers which helped the cause with calls, messages, e-mails and letters to legislators on particular bills. Your editorial commentary on some of the more troublesome bills was also extremely helpful.

There are several legislators who were willing to take public stands that favored the public's right to information, sometimes by opposing or helping to modify troublesome language in bills; sometimes by agreeing to modify their own bills. In addition to those mentioned above, these legislators include: Rep. Bob Heleringer and Rep. Jeffrey Hoover (expungement bills) and Rep. Keith Hall (worked with us on his one-party consent bill).

If you wish to express your thanks, you may leave a message at 1 (800) 372-7181 or send a letter to the legislator at Legislative Offices, 701 Capitol Avenue, Frankfort, Ky. 40601.

If you have questions about any of these bills or any other subject covered by the Hotline, don't hesitate to call your KPA Hotline attorneys.

NELSON

Continued from page 1

of a handful of state press associations that can brag that every paper in the state is a member.

"Not many press associations can boast about 100 percent membership," Nelson said. "It speaks highly of the organization and its leadership."

Next year, Nelson will move into the president-elect position and then serve as KPA president in 2004.

Nelson, 49, is a Mayfield native who grew up in Valley Station, in southwest Jefferson County. He and his wife, Mary Jane, an Irvine native, have two children — Julie, 23, a recent University of Kentucky journalism graduate who works as a graphic artist at The Jessamine Journal in Nicholasville, and 14-year-old Patrick, an 8th grader at Boyle County Middle School.

JOB OPENINGS

Seeking Advertising Director

The Tribune in Seymour, Ind., is seeking a growth-driven Advertising Director.

This position will have direct responsibility for advertising-related sales and revenue growth, budgeting, managing staff of nine and being a part of a strong management team. The successful candidate should possess a proven track record of growing ROP, classified, preprint and ancillary revenues. Experience with new product development also desired.

We're a small newspaper with big ideas and don't believe small is an excuse for mediocrity. The Tribune is a 10,000+ p.m. daily located between Indianapolis and Louisville. Our market has strong retail and a solid industrial base. Our population growth has exceeded the state average for the past several years.

To apply, please send a resume with cover letter detailing your thoughts on small newspaper ad departments to: Tim Timmons, The Tribune, 1215 E. Tipton St., Seymour, IN 47274. Or e-mail to tim_timmons@link.freedom.com

•Please be sure to include salary requirements. •

Reporter Opening

Knox County, Kentucky (Barbourville). Here in Knox County a reporter gets a little taste of everything. One minute you're covering city council or school board, the next there's a murder or attempted murder, drugs and hot politics. A new reporter might wait his or her entire career elsewhere to cover the kinds of news we have every week. Must be willing or know how to do page layout using QuarkXpress.

- We will train the right person.
- If you're news hungry, get your belly filled here.

Send resume to Reporter, 214 Knox Street Barbourville, KY 40906 or e-mail mnewman@barbourville.com

POSITION WANTED:

Accomplished journalist seeks editorial or management position at a weekly or small daily. I've done it all. Experienced in QuarkXpress and

Photoshop.
Call John at
(507) 895-7162

(southeastern Minnesota).

DUES

Continued from page 1

Member Services -- that you didn't have 20 years ago:

* the KPA Freedom of Information Hotline, access to the state's top media attorneys and all it costs you is a long distance call to Louisville. Their service isn't free; it costs KPA \$3,500 per month for you to have access to Jon Fleischaker, Kim Greene, Lora Morris and Kenyon Meyer.

* the KPA News Bureau, the service that gives you a "free" reporter in Frankfort. If you need a story covered, a picture taken, a file retrieved from a state agency, your extra editorial employee is a (free) phone call away. That employee costs you nothing -- no salary, no taxes, no employee benefits. The cost to operate this is about \$29,000 per year.

* the 800 number. We pay the bill when you need to call KPA if you use 800-264-5721. The cost? Another \$4,200 a year.

* legislative lobbying. Possibly the most important part of KPA is protecting your interests when the General Assembly is in session. It's certainly the reason KPA is headquartered in Frankfort. We're here to watch legislation on public notice advertising, other advertising issues, newsprint recycling, open meetings, open records, employment issues. For January and February alone of this year, the cost exceeded \$38,000. The 2002 session probably will end up costing KPA around \$50,000.

And it didn't cost you an extra penny.

Back in the 1970s and until 1984, KPA assessed newspapers a lobbying fee. Only a handful donated to the effort and it raised but a few thousand dollars. Back then, lobbying ran

\$12,000 to \$15,000 per year. But issues we have to watch have changed. We didn't worry about newsprint recycling, or telemarketing, or the internet 20 years ago.

From 1990 to 1992, KPA undertook a massive effort to rewrite the Open Meetings/Open Records Law. That effort took \$75,000 from KPA reserves. It didn't cost newspapers a penny.

Not only have the issues changed, but the structure has changed as well. Until 2000, KPA needed only to stockpile enough legislative funds to cover a 60-day session every two years. That gave us 20 months of stockpiling income to cover the next legislative session. Now with annual sessions, we can't stockpile dollars. It's an annual battle.

And until there's a constitutional amendment to go back to every-other-year sessions, the situation won't change. The funds won't be available as they once were.

The FOI Hotline, the News Bureau, the 800 number and legislative lobbying. Those free services total more than \$120,000 each year in expenses to KPA. Compare that to total dues income from newspapers of about \$75,000.

You might think other resources could cover these costs. What about the conventions and seminars and contest income?

Convention registration costs have increased a grand total of \$10 in the last 20 years. Until 2000, KPA charged a \$25 registration fee for the Winter and Summer Conventions. If you didn't eat at any of the convention meals, it cost you only \$25 for the convention programs. In 2000, we made that \$35 per person. That's about \$100 less than most associations charge.

Meal costs barely cover the charge to feed you. We're given the price of

each meal by the hotel, and we have to pay an 18 percent tip and 6 percent state sales tax. For most meals, we plus-plus the meal cost to cover tax and tip and then add a couple of bucks to each meal.

The contests are a good income source, at least the Ad Contest and Fall Newspaper Contest. Those do more than cover the costs for judging expenses, plaques, certificates and the video presentation. The Better Newspaper Contest is at best a break-even proposition. And since this year's is the last one, at least we won't have a contest that doesn't help the bottom line.

So what's the point? For the last couple of years, I've been dropping hints to the Board that we need to be thinking about this. Once upon a time, we held our own, used various income sources to offset KPA's financial commitments and tried to keep our reserve fund at a respectable level.

I'm proud of the services KPA offers, especially the many services that are offered at no extra charge. If you pay dues, you get the service.

But I also have to be realistic. Don Towles was a board member and executive committee member back in the late '70s and early 80s. He can tell you about the days KPA "didn't have two nickels to rub together."

We need to make sure that doesn't happen again.

I don't know that the board will do anything but I do hope they'll keep the issue open for discussion. We need to be cognizant that costs increase and income remains the same.

What would I like to see? Yes, I'd like to see us take a serious look at the dues structure.

More than that, I'd like to see us look at a progressive dues structure. Basing dues on circulation is regressive.

I'm sure back in 1980 the board didn't intend for that three-year dues increase plan to be the last in KPA's history. But it's lasted 20 years. If circulation had increased and if the number of newspapers increased, then dues would increase as well.

And there is a progressive dues structure available. If we don't want to be looking at a new dues structure every few years, then we should look at tying dues to something that will increase steadily over the coming years.

Circulation isn't that way. Advertising is.

If you keep your ad rates the same year end, year out, your dues would stay the same. If you increase your ad rates, then your dues would increase as well. Not greatly, but some.

The vision? I'd like to see our dues structure be the equivalent of one half-page ad a year in each newspaper based on the newspaper's local open/net rate. A 100-inch would be nice, a full-page would be great, but that's probably not realistic from the industry as a whole.

And there's a way to structure an advertising dues basis that means you never write a check. If it's done like the KPA Legal Defense Fund, where the amount is deducted from the advertising check sent by the Kentucky Press Service, it won't hurt a bit.

Surely, one-half page of advertising each year is worth a free attorney, a free employee, a cheap convention registration rate and a free group of lobbyists in Frankfort each year.

And if what KPA does for your newspaper isn't worth a half-page of advertising each year, then take advantage of another free member service -- the 800 number -- and call me to complain. That's 800-264-KPA1. The call won't cost you a penny.

CONTEST

Continued from page 1

News Story) and Category 12 (Best Spot News Package) into one category -- Best Spot News Coverage -- and rewriting the description to reflect entries in this category can be a single story or a package of stories.

Kentucky newspapers will notice the redesigned contest this fall when the changes take effect.

The 2002 KPA Better Newspaper Contest was judged April 11 by the Arkansas Press Association. Awards for that contest, the last BNC, will be presented Friday, June 21, during a banquet at the Gatlinburg Holiday Inn Sunspree Resort, headquarters for KPA during the Summer Convention.

- a. changing to one contest per year
- b. focusing the contest on editorial and perhaps renaming it to reflect that it's an "editorial" contest.
- c. a total of 26 categories, a slight increase from the present Fall Newspaper Contest. This is accomplished by combining some Fall Newspaper Contest categories into one, and putting some of the categories in the Better Newspaper Contest in the Fall Newspaper Contest.
 1. delete from the Better Newspaper Contest the following categories:
Typography, Community Service, Freedom of Information, Newspaper Promotion, Best Use of Graphics, Best Use of Photo Illustrations, Special Edition/Section, Best Original Ad Idea and Best Display Advertising. (The committee noted that some of the deleted categories -- Newspaper Promotion, Special Edition/Section, Ad Idea and Display Advertising -- are also in the KPA Advertising Contest.)
 2. in the Fall Newspaper Contest, combine Category 2 (Best Spot News Story) and Category 12 (Best Spot News Package) into one category -- Best Spot News Coverage -- and rewriting the description to reflect entries in this category can be a single story or a package of stories.
 3. in the Fall Newspaper Contest, combine Category 18 (Best News Picture Essay -- Spot or General News) and Category 20 (Best Feature Picture Essay) into one category -- Best Picture Essay -- Spot, General or Feature.
 4. take the following categories from the Better Newspaper Contest and place in the Fall Newspaper Contest -- Best Photo Illustration, Best Graphic, Best Sports Page, Best Business/Agribusiness Page, Best Lifestyle Page, Best Editorial Page, Best Front Page.