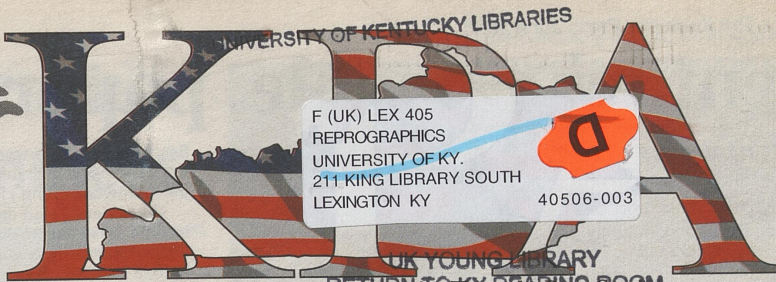


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There is a lesson we can all learn from Moldovan journalists

On Second Thought

By David T. Thompson
KPA Executive Director



Ask most Kentuckians where they were February 16 and tens of thousands will respond, "In the dark."

During the ice storm, a good portion of Kentucky experienced power failures that lasted from a few hours to more than two weeks. If it taught me anything, it made me to not take such simple basics of life for granted.

How many of you pinched yourself when you woke up this morning? I don't mean pinched yourself accidentally; I mean pinched yourself on purpose. Let me answer that for you with a collective, "None of you pinched yourself."

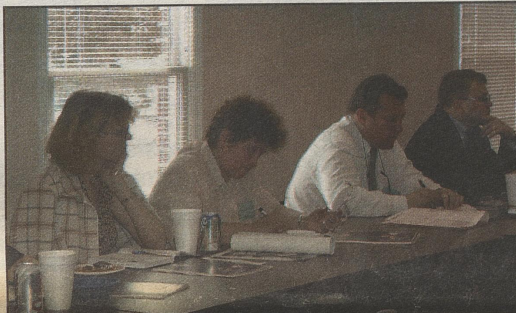
In late April, KPA hosted a group of about a dozen Moldovan journalists. A quick geography lesson: Moldova is a former Soviet Republic and the second smallest of those. Moldovan journalists have had freedom of the press since 1994.

These Moldovans were in the Bluegrass as guests of the Louisville International Cultural Center and got to experience what most of their countrymen can only dream about — the United States.

Irina Lavrova was one of the journalists. She is the editor of a newspaper in Balti.

Their trip to Frankfort included a morning session with staff members of the Attorney General's Office and two hours that afternoon at KPA.

Irina told Beth Crace, a reporter for the State Journal, that she pinched



Members of the press from Moldova were guests at the Kentucky Press Association last month. They came to the United States to learn more about the country and its media.

herself when she woke up that morning. Pinched herself on purpose. Pinched herself because she was in America. And during their stay in the U.S., she pinched herself each and every morning. And perhaps several times a day.

Twenty years as a journalist and her dream had been to visit the U.S.

See LESSON on Page 8

Heath appears before President's Commission

The President's Commission on the United States Postal Service should take three steps to further newspapers' use of the mailstream in the future, according to NNAs Postal Committee Chairman Max Heath. Heath, vice president for circulation/postal at Landmark Community Newspapers, Inc., testified May 28 before the Commission.

First, it should recommend continued use of publisher work-sharing, especially to encourage well-prepared locally-entered mail. Heath discouraged development of USPS plans to

move carrier-route sorted mail from local entry into centrally-located automated plants, where mail would be prepared in bundles for mail carriers. Newspaper delivery will work better if newspapers continue to enter locally and receive discounts for their contributions, Heath said.

Second, it should recommend required use of a Periodicals Standard Operating Plan in all mail sorting facilities, to improve service and reduce complaints.

Finally, it should recommend legislation to limit Negotiated Service

Agreements that involve incentives for volume extended to one or a few large mailers. The legislation should require examination of the impact upon competitive markets, particularly upon small mailers, Heath said.

Heath's appearance provided his second testimony to the Commission. In February, he detailed the history of within-county newspaper mail, assuring the Commission that it covers its full cost to USPS. In this statement, he focused upon operations and competition.

See COMMISSION on Page 10

June News & Notes

Journalism Boot Camp reservations are now being accepted

It is not too early to start thinking about sending your employees to camp this summer; Journalism Boot Camp that is.

The camp runs from July 14 to Aug. 1. Classes are from 9 a.m. to 4 p.m. Monday through Friday. All sessions are held in the Ensor Library at Georgetown College in Georgetown.

Registration for the Boot Camp is open and will remain open through early July unless all 24 slots are filled before then. This year KPA is offering a discount to those who register early. Those registering before June 27 will receive the three weeks of instruction, computer lab writing time, breakfast and lunch each classroom day for just \$595. Those registering after June 27 will have to pay \$645.

Campers opting to stay in Georgetown during the Boot Camp will be responsible for finding their own lodging at affordable nearby hotels.

All Boot Camp information, including a registration form, can be found on the KPA website at www.kypress.com.

If you have any questions concerning Boot Camp, call David Greer at 1-800-264-5721 or send him an e-mail at dgreer@kypress.com.

Advertising Excellence winners announced

The winners of the KPA Advertising Contest were announced on May 15 during a banquet at the Holiday Inn in

See NEWS on Page 9

JUN 18 '03

Kentucky people, papers in the news

Editors named for Western's student newspaper, yearbook

Western Kentucky University's student newspaper and yearbook have selected new editors.

Brandy Warren, a junior print journalism major from Louisville, will be editor of the College Heights Herald for the 2003 fall semester. Warren will

be a reporting intern this summer at the Times-Picayune in New Orleans and has had internships at the Courier-Journal, St. Louis Post-Dispatch and The Leader at Fort Knox.

J. Michael Moore, a junior print journalism and history major from Franklin, Tenn., will be editor of the Talisman for 2003-04. Moore has been an intern at the Press Journal in Vero

Beach, Fla., and has worked for the Review Appeal in Franklin, Tenn., and the Brentwood (Tenn.) Journal.

Other Herald staff members include: Mike Lamar, an Owensboro senior, advertising manager; Joseph Lord, a Louisville junior, news editor; Daniel Pike, a Glasgow senior, features editor; Keith Farmer, a Louisville junior, sports editor; Kyle Hightower, a Paducah junior, opinion editor; Jim Winn, a Bowling Green junior, photo editor; James Branaman, a Richmond senior, assistant photo editor; Adam Eadens, a Bowling Green senior, copy desk chief; Lee Fisher, a Mayfield freshman, online editor; Justin Fowler, a Columbia senior, design chief; Amanda Hall, a Bardstown senior, advertising sales manager; Matt Rountree, an Elizabethtown senior, creative director.

and The Cincinnati Post.

Urch, 39, lives in Lakeside Park. Urch, who succeeds Dan Hassert, previously wrote and edited for the Lexington Herald-Leader and the Centre Daily Times in State College, Pa. While at UK, she helped start WRFL-FM, a student-run radio station.

Urch has bachelor's degrees in journalism and English and a master's degree in American literature from UK. She did doctoral work in rhetoric and composition at Pennsylvania State University. Before coming to The Post, she had been editor of the Kentucky edition of the Cincinnati Enquirer since March 2001.

Gregg joins News-Democrat editorial staff

John Palmer Gregg recently joined the News-Democrat as staff writer.

Gregg is a graduate of East Tennessee State University in Johnson City, Tenn., where he worked as a photo editor for the university's student-run bi-weekly newspaper.

See PEOPLE on Page 12

The Kentucky Press

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Assistant editor joins Kentucky Post staff

Kakie Urch, a University of Kentucky graduate with a extensive background in journalism, joined The Post on May 26 as assistant managing editor of The Kentucky Post

Deaths

Veteran Journalist Louise B. Hatmaker dies

Louise B. Hatmaker, former editor, publisher and owner of The Jackson Times and The Beattyville Enterprise newspapers died Sunday, May 25 at a Hazard nursing home from complications from cancer. She was 79.

A native of Hazard, she was a graduate of Cumberland College and attended Eastern Kentucky State Teachers College. She taught first grade at Hardburly Mining Co. School in Perry County as a young woman.

Hatmaker ran the newspapers for approximately 30 years until she sold them in the mid-1990s.

She began her career as a reporter at The Hazard Herald in the 1960s. She was active with the Kentucky Press Association for many years. She was presented with KPA's Russell Metz Most Valuable Member Award in 1997 and The Herald Leader's Edward M. Templin Award for outstanding community service.

In April, Hatmaker was inducted into the Kentucky Journalism Hall of Fame.

Former Lexington Herald society editor dies

Margaret Foster Maxwell, former society editor and assistant state editor of the morning Lexington Herald newspaper, died Tuesday, May 27, at her home in Lexington. She was 88.

Maxwell began her career as a proofreader at the newspaper in November 1943. Six months later she was named society editor and continued in that job until January 1958, when she took an extended leave of absence for health reasons. She returned in mid-1959, working part-time until 1966, when she began working full-time again. She retired in 1976.

Wolfe County News editor Clara Stamper dies

Long-time Wolfe County News editor, Clara Stamper died Sunday morning, April 27, following an illness of several weeks. She was 77.

Stamper was associated with The Courier Publishing Co. for nearly 30 years and served as editor of the Wolfe County News until 1985, when her husband, JB, joined her as associ-

See DEATHS on Page 12

Nunn, Ford provide KVK entertainment

Frequent laughter punctuated the luncheon. Not petite, just-trying-to-be-polite giggles, but honest, sincere guffaws. Over and over for 90 minutes, loud laughter filled the hall. As the event concluded and the 120 attendees filed out, more than one was overheard to say how entertaining the luncheon had been. That might have seemed a little unusual since the event featured two former political adversaries.

Former Govs. Louie Nunn and Wendell Ford appeared on May 8 at a Crestview Hills fund-raiser luncheon for Kids Voting Northern Kentucky. The Northern Kentucky affiliate of Kids Voting is part of the statewide Kids Voting Kentucky organization, which is now given administrative support by this writer and administrative assistant Sue Cammack here at KPA.

The relationship between KVK and KPA began last fall. An all-volunteer, nonprofit group dedicated to using "trickle-up democracy" to improve voter turnout rates, KVK needed some part-time administrative support. Enter KPA because of the two organization's overall compatibilities and similar ideals.

In case you're wondering about "trickle-up democracy," it's the rather simple idea that in order to get more adults to do their civic duty and vote on every election day, you must first get their children interested. Once the

Oh, By The Way

By David Greer
KPA Member Services
Director



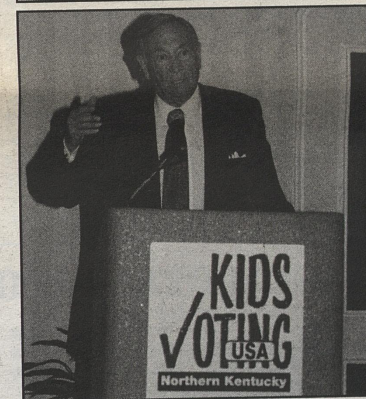
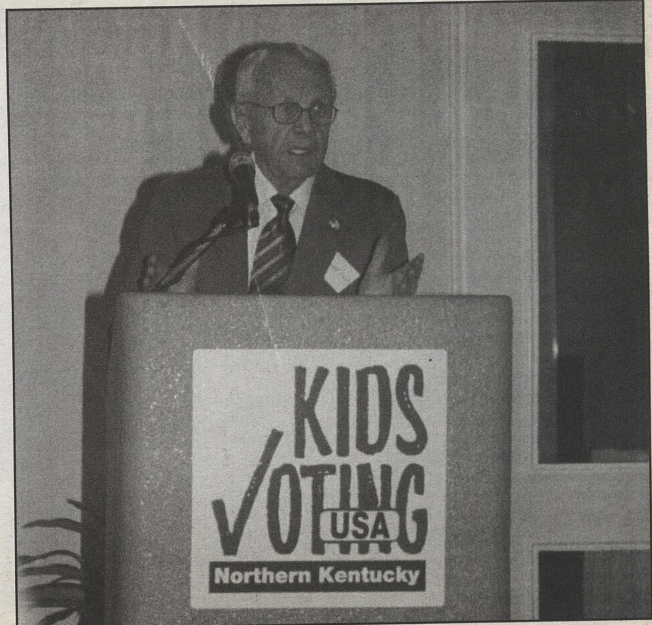
kids are enthused about something, their parents will often catch on too.

KVK works with schools to provide curriculum materials so students in all

grades can study current events and learn about political candidates and their positions. Students then vote in mock elections that coincide with general elections. Since students often "vote" at the same polling place as does their mom and dad, adult turnout tends to increase. Post-election research shows that adult voter turnout in areas with Kids Voting increases from 3 to 5 percent.

With only 17 to 18 percent of registered voters statewide casting ballots in the gubernatorial races in the recent May primary, it would seem Kids Voting Kentucky has its work cut out for it.

By the way, Nunn and Ford, once staunch political opponents, have mellowed over the years and now consider themselves to be good friends. Both serve as honorary chairmen for Kids Voting Kentucky. Both offered plenty of funny stories and tales about one another during the Northern Kentucky fund-raiser. But they had a serious side too with both critical of the large amount of money spent in the primary. They were critical also of the negative television ads and took candidates on both sides of the aisle to task for lacking substantive campaigns.



Left: Louie Nunn, Kentucky's last Republican governor, addresses a Kids Voting Northern Kentucky fundraiser, on May 8 in Crestview Hills. Nunn, of Glasgow, served from 1967 to 1971. He and former governor Wendell Ford (above) serve as honorary co-chairman for Kids Voting Kentucky. Above: Wendell Ford succeeded Louise Nunn as governor of Kentucky. Ford then went on to serve more than 20 years as a United States senator. Ford is an Owensboro native.

NEWS

Continued from page 6

Lexington. The banquet followed two days of seminars held at the University of Kentucky in conjunction with SNPA.

The top winners were The Flemingsburg Gazette, The Springfield Sun, The Jessamine Journal, The Kentucky Standard, The Advocate Messenger, The Courier-Journal and The Williamson Daily News.

Other newspapers taking home General Excellence awards included

The Trimble Banner, The Bracken County News, The Cadiz Record, The Tompkinsville News, The Barbourville Mountain Advocate, The Somerset News Journal, The Appalachian News Express, The Shelbyville Sentinel News, The Henderson Gleaner, The Kentucky New Era, The Owensboro Messenger-Inquirer, The Lexington Herald-Leader, The McCreary County Voice and The University of Kentucky's Kentucky Kernel.

For a complete list of winners see the special contest tab inserted into this month's Kentucky Press.

National, retail ad spending up in 1st quarter

Newspaper advertising expenditures for the first quarter of 2003 totaled \$9.9 billion, a 1.8 percent increase over the same period a year earlier, according to preliminary estimates from the Newspaper Association of America.

Retail advertising spending rose 2.5 percent to \$4.7 billion, national ad spending increased 3.7 percent to \$1.8 billion and classified was off 0.2 percent to \$3.5 billion.

"While the war in Iraq may have dampened expectations for increased ad spending in the first quarter, these

latest numbers show that newspaper ad spending continued to gain ground," said NAA President and CEO John F. Sturm. "The war began - and ended - in the midst of an emerging advertising recovery, and we fully expect ad spending in newspapers to keep on growing as the overall ad market regains its momentum."

Within the classified category in the first quarter, real estate ad spending continued to be strong, increasing 8.6 percent to \$832 million. Automotive gained 1.9 percent to \$1.1 billion. Recruitment advertising was \$932 million, down 10.8 percent over the last year. All other classifieds were up 3.4 percent to \$565 million.

New law could put newspapers into overtime

By KIM GREENE
KPA General Counsel
Dinsmore & Shohl



As employers, Kentucky newspapers need to watch out for new rules on overtime pay. Under the proposed rules from the U.S. Labor Department, employers might have to start paying overtime to greater numbers of workers. While the smallest newspapers should remain safe from the overtime requirements, other newspapers might find their budgets swelling with increased payroll costs. Fortunately, the Labor Department welcomes public comment on these proposed rules. But the June 30 deadline for comment is approaching quickly.

The source of the rules which the Labor Department proposes to modify is the Fair Labor Standards Act (FLSA) of 1938. Through the FLSA, Congress requires businesses to pay the national minimum wage and overtime, among other things. But the FLSA also contains a number of exemptions for groups such as executives, administrators, professionals, computer employees, and outside sales employees. Together, these groups are often called "exempt" workers. Employers do not have to pay overtime to these exempted white-collar workers. The idea is that exempt workers do not

need overtime pay because they already receive adequate pay and benefits.

But how exactly do you define an exempt worker? This question has tripped up employers for years. The current definition of exempt workers is confusing and outdated. Employers complain that the confusion has led to burdensome lawsuits. Employees complain that the outdated definition stamps many people as exempt workers when they truly are not. For example, currently you can be an exempt worker (and thus lose your entitlement to overtime pay) if you make a little over \$8,000 per year and have certain exempt job responsibilities and authorities. Because of this low salary threshold, many newspaper employees with exempt responsibilities and authorities currently fit into the exempt exemption. But some newspapers will lose the exemption for these employees if the Labor Department increases that \$8,000 number so much that it exceeds the employees' current salaries.

It has been many decades since the salary thresholds were set and many worker groups have pushed for review and revision of the thresholds. Likewise, employee groups and employers alike have asked for more guidance for applying the often vague and confusing descriptions of the responsibilities and authority necessary to categorize a worker as exempt.

So Congress gave the Labor Department the job of updating what "exempt employee" means. In writing the new definition, the Labor Department strived to make it easier to understand for employers. This is a good thing, since it seeks to eliminate confusion and reduce the number of lawsuits brought against employers by employees demanding overtime pay. But the new rules also mean that certain employees who are currently considered exempt will not be considered exempt in the future. So employers will have to start paying overtime for those workers.

So what are the proposed rules? The basic rule stays the same as before: in order to decide whether an employee is an employee exempt from overtime pay, the employer must look at two things, salary and duties. If the employee receives above a certain salary and performs certain duties, he or she is exempt and is not entitled to overtime. The current salary threshold ranges from \$155 to \$250 dollars per week, and the current list of duties is lengthy and confusing. The proposed new salary threshold is \$425 dollars per week, and the proposed new list of duties is shorter and clearer. For example, one way an employee becomes an exempt employee is by being an executive, which under the new rules would mean the following: (1) receiving \$425 dollars per week salary; (2) managing the enterprise or

a recognized department or subdivision of the enterprise; (3) directing the work of two or more employees; and (4) having the power to hire or fire employees, or having weight given to suggestions and recommendations regarding hiring, firing or other change in status of employees.

What does all of this mean for Kentucky newspapers? For very small newspapers, it means nothing. These papers will still enjoy the protection of a completely separate exemption having nothing to do with whether a worker is exempt or not. Under this small newspaper exemption, an employee is exempt from the overtime requirement if employed by a newspaper with a circulation of less than 4,000 mostly within the county where published or bordering counties. The circulation number of 4,000 refers to all copies circulated or distributed, including paid, free and samples.

But for newspapers with a circulation greater than 4,000, it means that higher payroll expenses may lie ahead. The bottom line for these employers is this: any employee who makes less than \$22,100 per year will be entitled to overtime pay, even if they hold a white-collar job title and perform white-collar job duties.

So, the proposed rules could hurt newspapers in Kentucky whose budgets would swell with newly required

See OVERTIME on Page 5

Do your homework before running political ads

With the primary election behind us it is now time to concentrate on getting money for our newspaper in the fall general election. Keep in mind for those of you who were fortunate enough to get some gubernatorial dollars that you have 30 days past the May 20 primary to file all reports concerning the money your newspaper received. You can download a form at <http://www.kref.ky.gov/media/media.htm> if you need to report on the primary election.

Between now and November there will be various committees asking questions about disclaimers and paying for ads. It is hard to argue with facts that are in writing so it is always a good idea to refer to the Kentucky

Advertising Plus

By Teresa Revelett
KPS Director of Sales



Registry of Election Finance website to show what is acceptable.

A political brochure can be downloaded and printed out for quick reference. It would be a good idea to

keep a couple extra on hand so that you can help keep the candidates informed of the proper procedures to follow.

Does anyone know what is the proper disclaimer to place on a political ad? Per KRS 121.190(1): All advertising advocating the election or defeat of any candidate shall be identified by the words "paid for by" followed by the name and address of the individual or committee which paid for the advertising; except if paid for by a candidate, or campaign committee, it shall

be identified only by the words "paid for by" followed by the name of the candidate or campaign committee. Paid for by Candidate is NEVER an appropriate disclaimer!

According to the website, more frequently asked questions and scenarios include:

1. Candidate Joe Smith or someone from the Joe Smith Campaign Committee purchases an ad: Paid for by Joe Smith or Paid for by Committee to Elect Joe Smith

2. A group of candidates purchases an ad which clearly identifies the office each candidate seeks: Paid for by Joe Smith, Sally Smith, Mary Contrary, James Jones, Billy Jack, Phil Simpson, Polly Carter, and Lilly Adams.

In this instance, each candidate/campaign must write a check directly to the newspaper for his/her portion of the ad cost. One candidate is NOT allowed to pay for

the entire ad and later have the other candidates reimburse that candidate.

3. A Franklin County Executive Committee purchases an ad: Paid for by Franklin County Democratic Executive Committee 300 Frankfort Avenue, Frankfort, KY 40601

4. Private citizen Jane Smith purchases an ad to support a candidate: Paid for by Jane Smith, 700 Walnut Street, Frankfort, KY 40601

5. Jane Smith and her two sisters purchase an ad to support a candidate: PAID FOR BY Jane Smith, 700 Walnut Street, Frankfort, KY 40601, Mary Smith, 22 Maple Street, Frankfort, KY 40601, Sara Smith, 41 Oak Street, Frankfort, KY 40601

Don't hesitate to give me a call if you have any questions related to political advertising. I may not have the answer, but I can find out an answer pretty fast usually. Have a great summer!

Educator now a news writer instead of news maker

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Kentucky School Advocate

By MADELYNN COLDIRON

There is no education concept too arcane, no bit of educationese too obscure, to stump the reporter who covers school board meetings for the Anderson News in Lawrenceburg.

In fact, he has a hard time not jumping in during some discussions.

That's because this self-described cub reporter is a former school superintendent, principal and teacher.

Jay Cason, who resigned as Bourbon County Schools superintendent in April 2001, launched his second career last fall after attending a five-week summer journalism "boot camp" operated by the Kentucky Press Association.

Now Cason takes notes and writes about the kinds of meetings he used to run himself.

"It's really strange - no question," he said.

Cason's route to journalism was, indirectly, by way of the Appalachian Trail. After his well-publicized resignation from Bourbon County after less than a year on the job, Cason took a year off to travel. Part of those travels included 700 miles of backpacking on the Appalachian Trail. It gave him plenty of time to think.

"At that time I was 56 years old, and after about 14 months of 'playing,' I was ready to do something constructive," Cason said. "I had determined in that year off that my years in public education were over and I wanted something different."

Cason, a Covington native whose career also included stints as principal in Wyoming and principal and superintendent in Michigan, spotted a newspaper ad for the journalism boot camp and was intrigued. He attended the five-week intensive session last summer.

"I enjoyed it - I learned a lot," he said.

He also met Don White, publisher of the Anderson News. "We just kind of hit it off," Cason said. After the camp, the newspaper published some of Cason's free-lance work, then offered him a full-time position.

Cason's class at the Kentucky Press Association's boot camp included a planning and zoning attorney who was exploring a second career.

"We had no idea there would be people like that" enrolling, said David Thompson, the KPA's executive director. The boot camp had been envisioned for inexperienced reporters who needed extra training, but most students have turned out to be people looking for a career change.

Thompson's deputy, David Greer, said he's not surprised Cason landed a job after the training.

"He had me review his resume - he was kind of redoing it to give it a journalism slant," he said. "There was never a doubt in my mind that if Jay wanted to pursue journalism, he could do it," Greer said.

As a new reporter for a small-town weekly newspaper, Cason is covering the school board, fiscal court, city council and any breaking news that pops up.

During his education career, Cason had overseen the construction of a school and implemented a successful reading program. When the Anderson County school board discusses topics such as those, he has a hard time keeping quiet.

"I find myself sitting in the back of the room restraining myself...there's no question it's hard for me not to raise my hand," he said.

On the positive side, Cason said his education experience makes it easy for him to write about education issues. Because of his understanding, he said, "People from the schools call me and want me to cover their stuff."

Anderson County Schools Superintendent Ronald "Sonny" Fentress said Cason stopped by his



Robert B. Turner Elementary School principal Sheila Mitchell and Anderson News reporter (and former school superintendent) Jay Cason discuss the Effective Schools program prior to last month's meeting of the Anderson County school board. Cason was one of the 2002 KPA Boot Camp graduates to take a job as a reporter.

office for a chat after he started his new job, so seeing his former fellow superintendent at his first school board meeting, notebook in hand, didn't come as a shock.

The two men had served together on the board of the Central Kentucky Educational Cooperative.

Fentress said he's glad school board meetings are being covered by a former superintendent.

"It's good," he said. "He's very knowledgeable about schools. He's a nice guy and he's doing a good job."

Fentress said Cason has been writing about aspects of the schools that are often overlooked, such as lunchroom operations and maintenance staff.

"We're getting a lot of good things out of that," he said.

Cason said he's been surprised at how easy it is to get access to news sources as a reporter.

"I found that people tend to think

because you're a reporter, a journalist, it's almost like you're a VIP - they want to share their stories with you for the most part."

Because he retired from Michigan with a full pension, Cason said he doesn't expect to advance in this new career, but is simply enjoying the experience.

"I cover five meetings a month and everything else I do is of my own choosing, other than breaking news," he said. That's a welcome relief from a job that left him little time for a life of his own. As a superintendent, "you'd have five meetings a week of some nature, and some weeks more than that," Cason noted.

Cason and his wife, a former teacher who works in banking, soon will be moving to Lexington from Bourbon County.

"We'll bide our time and determine what we want to do with the rest of our lives," he said.

OVERTIME

Continued from page 5

overtime payments. Of course, newspapers could keep their current white-collar employees exempt by raising their salaries to more than \$22,100 per year. But be wary. Remember, an employee who receives more than \$22,100 will only be white-collar if her job duties and authority are exempt as well. And you cannot create a white-collar employee simply by giving her a job title that sounds exempt. Her

duties must still be exempt as well.

The Labor Department has said that it believes its proposed rule "is not likely to adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs..." If you disagree, say so! How can you sway the Labor Department? Perhaps you should argue that the \$22,100 salary threshold is too high, that it does not take into account the strained budgets of small newspaper publishers. Or point out that the Labor Department has not updated the circulation number for its

small newspaper exemption since 1949 (when it increased from 3,000 to 4,000). At the very least, perhaps the circulation number should be increased to reflect the growth in U.S. population, which has almost doubled since the small newspaper exemption was last updated in 1949. For instance, increasing the circulation number to 10,000 would sweep many daily and weekly Kentucky newspapers into the protective net of the small newspaper exemption.

You only have until June 30 to comment on these proposed rules. The

Department invites you to send comments to:

Tammy D. McCutchen, Administrator, Wage and Hour, Division Employment Standards Administration, U.S. Department of Labor, Room S-3502, 200 Constitution Avenue, NW, Washington, DC 20210

Comments of 20 pages or less may be submitted by fax to (202) 693-1432, or by email to: whd-reg@fenix2.dol.gov. You can find further information about the proposed rules on the Labor Department's web site at <http://www.dol.gov>.

AG Opinions

Lexington Herald-Leader/Cabinet for Health Services

The Attorney General found that although the Cabinet's response to The Lexington Herald-Leader reporters Karla Dooley and Barbara Isaacs did not comply, in all particulars, with the requirements of KRS 61.872(5), the record on appeal does not support the newspaper's claim that the Cabinet has failed to afford the reporters to timely access to the records identified in the request.

Dooley requested copies of or access to information including: records, summaries or analysis that indicate total Medicaid enrollment by age, county or region, and program for each fiscal year from 1998 through 2003, records that would indicate the number of KenPAC providers in Kentucky, their names, county or region, type of provider stated KenPAC patient capacity and total claims paid for each fiscal year from 1998 through 2003, as well as monthly reports reflecting some or all of this data for the fiscal years 1998 through 2003, records that indicate the number of Passport providers in Kentucky, their names, county, type of provider state Passport patient capacity and total claims paid each fiscal year between 1998 through 2003, as well as monthly reports reflecting some or all of this data for the fiscal years 1998 through 2003.

The Herald-Leader maintains that the request was faxed to the Cabinet on Oct. 2, 2003, but was later advised that the faxed request was not received. On Oct. 10 or 11, the request was faxed again.

On Oct. 15, Assistant General Counsel John H. Walker responded to Dooley's request advising her that the Cabinet was in the process of reviewing the request to determine what it may have which will fit the request. He told her the process would take approximately five more business days, and at that time, the agency would be able to give her a more specific response to the requested data.

Having received no further communication, on Nov. 1 the Herald-Leader's Deedra Lawhead contacted the Cabinet to ascertain the status of the request. Cabinet spokesman Gil Lawson indicated that Cabinet attorneys had determined that "they would be able to say what records they would be able to make available" in "10 to 15 days."

Dissatisfied with the response, the Herald-Leader initiated an appeal with the AG's office on Nov. 7, asserting

that the Cabinet had failed to comply with the three-day statutory deadline.

Walker observed that the nature of the information sought by the newspaper from the Department is comprehensive and requires a review of data reports to determine whether the information sought is in a format useful to the requester.

Walker also stated that because the request "was often not specific as to a document, or type of documents it wanted other than references to analyses and lists and summaries, the threshold question for the agency is what exists which fits the bill."

It is the opinion of the AG's office that the Cabinet's supplemental response to the request contains the detailed explanation for the delay. Had the Cabinet provided the Herald-Leader with a similar explanation, along with the earliest date on which the records would be available for inspection, the response would have conformed, in all particulars with the requirements of KRS 61.872(5). Because the Cabinet has not yet identified a disclosure date that is reasonable in light of the scope of the request, the AG's office found that is not yet in full compliance with the Open Records Act.

"Approximately one month elapsed between the date Ms. Dooley submitted her request and the date on which the Herald-Leader initiated this appeal. The Cabinet's Nov. 13 response to the appeal suggests that efforts were still underway on that date to locate, retrieve and evaluate records containing the information she requested," the AG opinion stated. "Clearly, the Cabinet is fast approaching the outermost limit of what is reasonable in light of the breadth of Ms. Dooley's request. We urge the Cabinet to bear in mind that 'it is the legislative intent that public employees exercise patience and long-suffering in making public records available for public inspection.'"

The Owensboro Messenger-Inquirer, Inc./ODCH, Inc.

The Owensboro Messenger-Inquirer asked the Kentucky Attorney General to rule as to whether ODCH violated the Open Meetings Act at its April 3, 2002 special meeting when it went into executive session pursuant to KRS 61.810(1)(f) for the stated purpose of discussing proposals made by Catholic Healthcare Partners, Inc., that might lead to the dismissal of an employee.

In response to the open meetings

complaint submitted by the newspaper, ODCH later invoked KRS 61.810(1)(g) authorizing closed session "discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of the business."

On April 4, Editor Robert H. Ashley submitted a written complaint to ODCH Chairman Stuart Augenstein in which he alleged that the April 3 closed session of ODCH's Board of Directors constituted "in whole or in part" a violation of the Open Meetings Act.

"ODCH, Inc. has, as we understand it, no employees. It tests credulity, then, that the closed discussions could have involved 'discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee...' Further, any discussion in that meeting that concerned the other options in the Catholic Healthcare Partners proposal, as outlined in open session - the purchase of either partner of the other partner's state - would not in any way be covered by this exemption."

To remedying the alleged violation, Ashley proposed that the session be re-conducted in public and that any documents, letters, memoranda or other written material presented at that discussion be released to the public and that any minutes, transcripts or recordings of the meeting be provided for public inspections.

In a response dated April 9, Augenstein denied the allegations in the complaint and raised an additional defense to that complaint.

Augenstein wrote: "Owensboro Mercy Health System, Inc. is a private, non-profit corporation that owns and operates the only hospital in our community. OMHS is owned by its two members: ODCH and Catholic Healthcare Partners. ODCH is a private, non-profit corporation that has voluntarily committed in its bylaws to comply with the Open Meetings Law and the Open Records Act.

CHP has submitted three, alternate proposals to ODCH. The proposals would change the member relationship between CHP and ODCH, or have either CHP or ODCH acquire the member interest of the other. On April 3, 2002, the ODCH board of directors voted "to go into closed session to discuss the proposals of CHP to ODCH, which may lead to the dismissal of an individual employee."

Augenstein also said the ODCH board closed session on April 3, 2002, was authorized because it involved

discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion or upgrading of the business.

The Messenger-Inquirer's attorney Ralph W. Wible, on appeal, challenges ODCH's reliance on KRS 61.818(1)(f), asserting that because the employee in question is not an employee of ODCH, but is instead employed at OMHS, Inc., ODCH could not discuss his dismissal in closed session. In addition, the newspaper objects to ODCH's reliance on KRS 61.810(1)(g), six days after the closed session occurred that ODCH "cannot invoke an exception after the fact," and that even if it can, none of the proposals under discussion related to that particular exemption.

In supplemental correspondence with the Attorney General's office, ODCH's attorneys James M. Miller and R. Michael Sullivan elaborated on their client's position. In defense of ODCH's reliance on KRS 61.810(1)(f), they contend that the Open Meetings Law does not define the term "employee," nor does it expressly state that the "employee" must be an employee of the public agency in question.

The attorneys for ODCH supported ODCH's reliance on KRS 61.810(1)(g) stating that the exception protects not only discussions between the public agency and a private business entity, but also discussions of the public agency itself concerning the siting, retention, expansion or upgrading of a private business entity. They claim the newspaper mistakenly assumes that ODCH invoked this exception based upon protecting the involvement of CHP in OMHS. They said that the exception is applicable because the closed session involved discussion by the ODCH board concerning the retention, expansion and upgrading of another private entity, OMHS, a private hospital not subject to Open Meetings Act.

On these bases, ODCH's attorneys assert that it properly relied on KRS 61.810(1)(f) and KRS 61.810(1)(g) in conducting the April 3 closed session discussions.

The written opinion from the AG's office states that although an employee's dismissal was tangentially related to the subject of the closed session discussion conducted at ODCH's special meeting, the primary focus of that dis-

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The meaning of 'The Fourth Estate' in a nutshell

By PAM MITCHELL WAGER
Louisiana Press

A Google search produces something like a million references to The Fourth Estate...but in a nutshell...the term originated from Edmund Burke, (1729-1797, British statesman, orator, and political thinker) who was basically commenting on the "watchdog" role of the press.

In Burke's time the other three estates (social or political classes) were the Lords Spiritual (the clergy), the Lords Temporal (the nobility) and the Commons (the bourgeoisie). (Ref. AP Stylebook)

Today, the term is most commonly applied to the U.S. Press (originally just newspapers, now inclusive of broadcast), because of our democratic

political system of judicial, legislative, and executive branches of government. Given our "official watchdog" role based on our First Amendment protections, the Press is seen as the Fourth Estate (fourth branch). To some extent the term is also rooted in our historic involvement with public notice in that we have been always been seen as the purveyors of government news and as the independent observer / reporter in respect to official action.

There are several interesting articles on the Internet about whether the Press is living up to its role as the Fourth Estate these days as corporate entities with more of a profit-making motive take over the industry. Are we, as an industry, having the influence on

public policy that we once did? Are we operating as free, independent spirits? Are we too concerned about profit taking?

Anticipating using the Fourth Estate argument on a legislative issue, the research was for naught for me...for heaven forbid our state house walls would crash down if we should make a historical reference to anything English as we, in Louisiana, abide by the Napoleonic Code as opposed to British Common Law the base for law in the other 49 states. However, France, per se isn't too popular right now.

Burke said there were Three Estates in Parliament; but in the Reporters' Gallery yonder, there say a Fourth Estate more important than they all. It

is not a figure of speech, or a witty saying; it is a literal fact....Printing which comes necessarily our of Writing, I say often, is equivalent to Democracy: invent Writing, Democracy is inevitable...Whoever can speak, speaking now to the whole nation, becomes a power, a branch of government, with inalienable weight in law-making, in all acts of authority. It matters not what rank he has, what revenues or garnitures: the requisite thing is that he have a tongue which others will listen to; this and nothing more is requisite. - Thomas Carlyle. Carlyle was a Scottish essayist (1795-1881)

(The Fourth Estate terminology is sometimes inaccurately attributed to Carlyle but Carlyle was actually quoting Burke.)

OPINIONS

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discussion was which, if any, of the three alternate proposals submitted by CHP to "change the member relationship between CHP and ODCH, or have either CHP or ODCH acquire the member interest of the other," was most attractive. The opinion also states that there is no exception in existing open meetings law for such discussions.

"We find that the dismissal of an individual employee was not the focus of the closed session discussion but was instead an unavoidable consequence which would flow from selection of two of the three proposals ... We therefore conclude that ODCH's liberal construction of KRS 61.810(1)(f) in this contest is not supported by language of the exception and the rule of strict construction codified by KRS 61.800.

The AG's office ruled that ODCH, Inc., violated the Open Meetings Act at its April 3, 2003, special meeting when it went into executive session pursuant to KRS 61.810(1)(f) and KRS 61.810(1)(g) for the purpose of discussing the three proposals submitted by CHP to ODCH to change their legal relationship.

The Courier-Journal/Eastern Kentucky University

The Kentucky Attorney General's office ruled Eastern Kentucky University's reliance on relied on KRS 61.878(1)(a) in denying Courier-Journal reporter Mark Pitsch's March 17, 2003 request for copies of the letter of application from Harry Moberly, Jr., for the position of Eastern Kentucky

University president. And all supplementary materials submitted with the application, including resume or curriculum vitae, letters of recommendation, and any other documents accompanying the letter of application was misplaced.

In her March 18, 2003 denial, University Counsel Katherine M. Coleman invoked KRS 61.878(1)(a) for the proposition that "applications and resumes (or curriculum vitae) submitted by, and other documentation regarding, unsuccessful applicants for employment are exempt from inspection or copying under the Open Records Act."

After the denial, Attorney John L. Fleischaker initiated an appeal on behalf of the newspaper. He asserted that the most important factor in favor of public disclosure of Moberly's application materials is that - unlike other unsuccessful applicants for public employment - disclosure of Moberly's application materials is of great value for the public oversight of both EKU and the General Assembly. "This open records request concerns much more than a mere search for names of unsuccessful candidates for public employment. It concerns the control of a major state university and the public oversight of elected officials in the General Assembly," Fleischaker wrote.

Under these circumstances, Fleischaker concluded, the public interest in disclosure outweighs Moberly's privacy interest, and therefore EKU's reliance on KRS 61.878(1)(a), was misplaced.

In correspondence with the AG's office following the appeal, Coleman explained EKU's position and responded to Fleischaker's arguments. She explained that the University

relied on these authorities because they were premised upon the recognition that disclosure of the resumes submitted by, and other documentation regarding, unsuccessful applicants for employment might be "embarrassing and harmful to an applicant's career" as well as "prove detrimental to the hiring process, resulting in lesser qualified but thicker skinned person applying."

She rejected Fleischaker's argument that because Moberly is a state representative and an EKU official he has no protected privacy interest, and that the public's interest in him, and in records relating to him, is heightened. In addition, she argued that his application for employment has nothing to do with his duties or actions as a member of the General Assembly and nothing to do with the actual control and oversight of the daily business operations of EKU.

In order to facilitate their review of the appeal, the Attorney General's office asked Coleman to furnish their office with copies of the records in dispute.

The written opinion by Assistant Attorney General Amye L. Bensenhaver states: "Resolution of this appeal turns not on the level of responsibility attached to the position for which application was made, or Mr. Moberly's status as a state representative and EKU official, but instead turns on the fact that the protected privacy interests upon which the earlier decisions was postulated are no longer implicated when the applicant's identity has been disclosed and the fact of application publicly acknowledged by the applicant."

Bensenhaver wrote that resolution of the question of the agency's proper

reliance on KRS 61.878(1)(a) turns on whether the offense to personal privacy which would result from disclosure of the information outweighs the benefit to the public. As noted, the 'clearly unwarranted' language found in the KRS 61.878(1)(a) tips the scales in favor of disclosure."

The AG's office has consistently affirmed agencies denials of access on the basis of KRS 61.878(1)(a) with specific reference to application materials submitted by unsuccessful applicants, but in this case, where the applicant's identity has been disclosed and the applicant has publicly confirmed that he is, or was, an applicant, his privacy interest is significantly reduced if not eliminated altogether, Bensenhaver wrote.

Based on that reasoning and the unique facts presented to them, the AG's office finds that EKU's reliance on KRS 61.878(1)(a) as the basis for denying The Courier-Journal access to these records was misplaced.

"This decision should not be construed to establish a rule of mandatory disclosure for all applications submitted by unsuccessful applicants. Nor should it be construed to require EKU, or any other agency, to make 'the discretionary determination whether an applicant is a public official or persona of such nature as to alleviate them of the right to privacy protected by the statute' each time the agency is presented with a similar request. Instead, we narrowly hold that the agency need only make a factual determination that the applicant has publicly confirmed his application for appointment, and having made that determination, review the application materials to insure that no other protected interests are implicated," the opinion stated.

Five Kentucky newspapers receive Kentucky Education Association's School Bell Award

Five Kentucky newspapers were recipients of the Kentucky Education Association's School Bell Award given at the Annual KEA Delegate Assembly at the Executive West Hotel in Louisville on April 11.

KEA gives its School Bell Award annually to journalists who have excelled in the previous year at covering public education, public schools or related issues. The award may be given for a single story or series on a particular subject, or for sustained reporting over the course of the year. Last year, for example, reporters at two small papers were nominated and won for months of coverage characterized by consistent effort to make accessible to their readers the diverse issues at play in their local school systems and their effects on student learning. Their coverage ranged from school board meetings to special student projects to the search for a new principal by a school-based decision-making council.

The first-ever KEA School Bell Award for reporting by a student pub-

lication was presented jointly to four journalists at Western Kentucky University's College Heights Herald. Reporter Mai Wong, editor Brandy Warren and photographers Wiqan Ang and Steven King did weeks of preparation in Warren County prior to the rally and Mai, Wiqan and Steven traveled to Frankfort with the nearly 300 Bowling Green-area educators who made the trip. That group included many student teachers from WKU. They reported on the larger issues and personalized them through interviews with the future teachers. In addition, King made audio recordings of interviews with the student teachers at the rally, and edited them with his and Ang's pictures to produce a compelling "Flash Animation" story for the Herald's Website.

School Bell Awards also were given to three other papers that covered the rally from their local angle, working with educators in their communities to understand the issues and following them through the process of organizing participation, petitioning the

local school boards for the day, and then attending the rally. They covered the rally not as an event but as an occasion to examine the effects of funding decisions made by the General Assembly on the people in their local schools.

Those winners were The Big Sandy News, Roberta Blevins, associate editor; The Corbin Times Tribune, Jacinda Griffiths Powers, reporter; and The London Sentinel-Echo, Dale Morton, editor, Carl Keith Greene and Carol Mills, reporters.

Blevins rode the bus to the rally with Lawrence County teachers, and spent the day talking with them and taking photos.

Jacinda Griffiths Powers was the first person from Corbin to win the award.

This is the second time the School Bell Award has gone to the Sentinel-Echo. Mills wrote the initial story about the rally after hearing of it while covering a meeting of the Eastern Bernstadt School Board and its plans to dismiss classes to give teachers a chance to attend the rally.

Morton coordinated the coverage as Greene learned of the Laurel County School Board's intention to also close school.

Greene accompanied the teachers on a school bus. He photographed the rally and got comments from the teachers and staff.

With the assistance of staff writer Allison McCowan and others in the newsroom Greene had the story ready for the next issue.

Finally, KEA gave a 2003 School Bell Award to reporter Kristin Taylor of the Richmond Register, whose day-to-day coverage of public education, public schools and school employees was called by the judges "consistently excellent, intuitive and comprehensive, and on par with that of any of the much larger publications in this state."

The KEA School Bell Awards are judged by a volunteer panel of journalism professionals, most from outside Kentucky.

Michelle Rauch of WTVQ-TV in Lexington also received the award for her piece on the rally.

LESSON

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And for a month or so, she was living that dream.

We Americans don't give life in the U.S. a second thought. We wake up here each morning, do our jobs and go to bed at night. Without stopping to think there might be millions of people in other countries who would like just one day in our shoes.

Moldovan journalists were given freedom of the press in 1994. It's a freedom that's still in its infancy and the country is still struggling with developing that freedom.

To listen to those journalists, their freedom of the press is nothing like what we live with every day. On paper, perhaps they do have this freedom. But in real life, that's another story.

Most of the two hours was spent with them asking KPA representatives (Sharon Tuminski, KPA President; John Nelson, KPA President-Elect; Ben Post and Pam Platt from the Courier-Journal; Chris Hamilton from the Lebanon Enterprise; and David Greer and me) about covering the government.

At that morning's meeting with the Attorney General, they were told

about Open Meetings and Open Records. That would be a part of what we consider "freedom of the press." Moldovan journalists are still trying to find ways to develop government sources, get access to government information and how to report and comment on their government. Without fear.

Freedom of the press, as we know it, and freedom of speech comes as a basic right. We can report on government activities and we can speak out against the government without fear of retaliation.

In Moldova, with that supposed freedom of the press right, speak out against the country and you'll find your newspaper being shut down, or your job being taken away from you.

Moldovan newspapers publish editorials, "opinions" as they called them, "but we have to be very, very careful about what we say. The Communists will shut us down."

Irina gave a little more insight. If a Moldovan journalist says anything critical of the government, stressing the "anything," the journalist and the newspaper are subject to a lawsuit. And at present, the Moldova parliament is considering legislation to bar a publication from saying anything about the government. That's a far cry from "freedom of the press" as we

know it.

For Fedor Zanet, the freedom journalists have in the U.S. is enviable. Fedor, who took great pride during a break in showing John Nelson a slick publication he does for kids, said he doesn't publish stories which might leave him open to ridicule or lawsuits.

Asked about the differences in the American and Moldovan press, Fedor replied, "The way you present the information to the public. You are much faster, probably, thanks to technology. I would wish that all bureaucrats would play along as they do here, at least a little bit. Journalists in the U.S. are protected by the law. In Moldova, the laws would change according to the new people who come to power."

So pinch yourself now and be thankful the freedoms given us by the constitution are, in fact, freedoms. Not just some fabrication of our government officials who stand to take that right away if we use it.

* * * * *

Don't ever play poker with Bill Goodman. I don't know if Bill knows a club from a spade, but as host of KET's "Kentucky Tonight," and moderator for the so-called candidate debates, I can't see how Bill ever

keeps a straight face.

But he does, perhaps the best "poker face" of any journalist I know.

With some of the statements Bill hears on Kentucky Tonight, I often expect the camera operators to pan to Goodman showing him doubled over in laughter, or sliding under the table. In disgust.

Off times, the answers to his questions on Kentucky Tonight are embarrassing. Embarrassing from the standpoint that people will actually get on live television and make such a statement. I can't give you specifics but suffice it to say there have been numerous times I've asked Bill how he survived the show without breaking up or asking the panelist how stupid can a human being be.

The "debates" are a far-cry from that. Journalists asking for specifics on how a candidate stands on a particular issue, usually get a response as if the candidate expected the question to be asked and the answer had been rehearsed over and over again. And the answer is without meat and usually ends "and I want to be your next (fill in the blank)."

For the journalists, it has to be frustrating to ask a question and get only a response as to why the candidate thinks he or she is qualified to run for office.

States continue widespread re-examination of Sunshine Laws

(AP)—For the second year running, state legislators worried about terrorists are seeking to revise open government laws, conducting a piecemeal but wide-ranging examination of the states' freedom of information measures.

The proposed changes are being watched closely by civil libertarians and media groups, which complain about proposals so broad they would close access to far more than information about security issues. But compromises seem to be emerging.

At least 15 states have considered such legislation. So far, five of those have passed laws to tighten public access to documents or meetings, but most have yet to finish their legislative sessions.

Last year, 21 states approved measures to keep from public view information that was deemed important to security, the Reporters Committee for Freedom of the Press found in a March study.

"There's just too much of an assault on our freedoms, and on our access to government, and on the accountability of government," said Wanda Cash, president of the Freedom of Information Foundation of Texas and publisher of The

Baytown (Texas) Sun.

Lawmakers say they are listening to the worries of open government activists, but add that there's a need for balance between public information and safety. The ongoing threat of terrorism can't be ignored, they say.

"It has changed the way we think about security," said Texas GOP state Rep. Ray Allen, author of a bill to keep details about emergency responders, the location of surveillance cameras and utilities' response plans all secret.

Among other new proposals under consideration: Nevada would allow the governor to keep certain documents about preventing or responding to terrorist attacks confidential. These include emergency radio frequencies, emergency response plans and vulnerability assessments. The bill is moving ahead.

Vermont would sharply restrict public access to architects' plans for public buildings. The proposal has passed both the House and Senate and a conference committee is working out differences on specific language.

Arkansas' police chiefs got a law passed that makes a list of material

secret, including threat assessments and training plans. Republican Gov. Mike Huckabee opposed a similar effort by the state Emergency Management Department last year.

Some right-to-know advocates said that, given the worries and the threats here and abroad, it makes sense to compromise.

"There's a need to protect certain information," including plans to safeguard government buildings against attack said Barbara Petersen, president of the First Amendment Foundation in Florida.

Florida made several changes last year, including keeping public buildings' blueprints secret. This year, lawmakers killed measures that also would have made make resorts' blueprints confidential and protected security information regarding water supplies.

In Texas, Allen said that "instead of doing what some states have done, which is try to build this policy with a bulldozer, we've built it with a scalpel.

"The one thing we've tried to do is be respectful of the very broad con-

See SUNSHINE on Page 10

Rooms at university named for journalists

Western Kentucky University's Board of Regents has approved the naming of classrooms, offices and other rooms in three University buildings in recognition of donors, benefactors and distinguished faculty.

Five rooms in Mass Media and Technology Hall will be named in honor of the following:

*David B. Whitaker Sr., a former College Heights Herald editor, longtime journalist, a member of the Kentucky Journalism Hall of Fame and head of the WKU journalism department from 1977 to 1984.

*Robert Adams, a former Herald editor, the paper's adviser since 1968 and director of Student Publications since 1988.

*Jo-Ann Huff Albers, head of the journalism department from 1987 to 1999, director of the School of Journalism and Broadcasting from 1999 until her retirement this year and a member of the Kentucky Journalism Hall of Fame.

*Charles M. Anderson, a leader in the development of public broadcasting at Western and a former vice president of information technology.

*Frances Richards, the first Herald editor in 1925 and a journalism teacher for nearly 40 years on the Hill.

Seven rooms in Mass Media and Technology Hall will be named for the following donors:

*Landmark Community Newspapers Inc. of Shelbyville, a company with 51 papers in 12 states.

*Alumnus Neil F. Budde and his wife Virginia B. Edwards. Budde, a 1977 graduate and founding editor of the Wall Street Journal's online version, is the owner of The Neil Budde Group, an online media company.

The regents conference room, which will be located in Mass Media and Technology Hall, is being named for Cornelius A. Martin, vice chair of the WKU Board of Regents and president/CEO of the Martin Management Group.

Tap into the KLC Resource Center

"What is happening to abandoned tobacco warehouses around the state?" asked the reporter with the Associated Press office in Frankfort. The Kentucky League of Cities Resource Center team had the answer: "Some have become auction houses or flea markets or spec buildings, while others are simply being razed."

This was just one of the hundreds of phone calls that come in to the Kentucky League of Cities Resource Center each month. The Resource Center team helps people in the media as well as city officials and others to find information about cities around the state.

For more than 75 years, the Kentucky League of Cities (KLC) has been the voice for Kentucky cities. One component of that leadership in the state is the Resource Center at the League. The Center houses a collection that includes videos, photographs,

articles, and archival materials, all of which is available to KLC members, researchers and the press. The staff is knowledgeable and dedicated to providing accurate, quality and timely information.

"One of the most frequent questions is about the salaries paid to elected officials or city staff members," said Dag Ryen, Director of the KLC Resource Center. Fortunately, for more than 70 years, KLC has conducted wage and salary surveys, in addition to other types of ongoing data collection. Today, the KLC Resource Center team maintains the only comprehensive financial database for Kentucky cities. "We're called upon to respond to just about every kind of question imaginable about city life, city business and the future of cities," Ryen noted.

Respected and admired for its advocacy on behalf of cities, the

Kentucky League of Cities promotes innovation, leadership and quality governance. Under the leadership of Sylvia L. Lovely, Executive Director/CEO, KLC has made a name for itself in Frankfort, in the largest and smallest cities in Kentucky, as well as around the nation. "KLC is proud to provide immediate information on research or breaking and legislative issues as they arise and proactively provide news and data that have an impact on Kentucky communities," said Lovely.

Information is power, and sharing that power is leadership. KLC is proud to provide leadership in Kentucky by sharing information gathered during the past 75 years of service to Kentucky cities! For additional information or to utilize the KLC Resource Center, please visit the KLC web site at ww.klc.org or contact the main office at 1-800-876-4552.

Fifty cents dominate single copy price but six bits gaining favor

Eight years ago, the Paintsville Herald took the bold step of increasing its single copy price to 75 cents, the first Kentucky newspaper to charge that amount at newsstands.

Scott Perry, who was publisher of the Floyd County Times in Prestonsburg, remembers that later that summer (1995), the Times moved to 75 cents "and we lost 15 percent readers but gained 35 percent revenue." The results weren't as bad as he predicted. When the Times increased its price, Perry expected single copy sales to drop 20 percent.

Though 75 cents a copy isn't dominant, a survey of Kentucky newspapers shows 75 cents now the second-preferred single copy price.

Four bits remains the dominant single copy price with more than three-fourths of all Kentucky newspapers charging 50 cents over the counter. In all, 116 of the 148 newspapers are priced at 50 cents. But 18 other newspapers have followed the lead of the Paintsville Herald and Floyd County Times. Twenty now charge 75 cents.

Either of those outdistance other single copy prices with four at 35 cents, three charging 25 cents, two priced at 45 cents, two at 30 cents and one at 60 cents.

A yearly subscription price shows little difference between small and medium size weekly newspapers. Weeklies with a circulation of 3000 or less average \$18.15 for a 12-month in-county subscription. The prices range from \$8 to \$25. For weekly newspapers of 3001 to 4700, the average subscription price is \$19.83. The costs range from \$10 to \$29.68. By comparison, the 1995 KPA survey showed an average subscription price of \$17.72 for weeklies up to 3000 circulation, 18 cents higher than the \$17.54 average for newspapers between 3001 and 4700 circulation.

There's a bigger jump for large weeklies (over 4700) with the average one-year in-county rate at \$27.42. Individual subscriptions for larger weeklies are between \$12 and \$29.68. The 1995 subscription aver-

age was \$18.31.

Multi-weeklies, with either two or three publication days per week, range from \$30 to \$70 per year with an average rate of \$41.33. In 1995, multi-weeklies averaged \$31.54 for a subscription rate.

Smaller dailies (up to 10,000 circulation) have an average \$112.38 subscription rate while those dailies in the 10,001 to 25,000 range show an average \$144 yearly subscription price.

Higher single copy prices means additional dollars for state coffers. With Kentucky being one of about a dozen states imposing a circulation tax on subscriptions, newspapers contribute to the state budget with the six percent state sales tax.

Newspapers are required to pay the six percent sales tax only on copies sold directly to the consumer — at vending racks, sales in the newspaper office or by street vendors. Businesses with a fixed location — grocery stores, drug stores — are required by law to collect and pay the sales tax on newspapers sold.

Annual subscription prices are also a boon to the state revenues because of the circulation tax. Any in-state subscription is subject to the six percent state sales tax unless the subscription is delivered by a carrier and the subscription fee is paid to the carrier.

However, newspapers get a break on mailed subscriptions. Although the six percent state tax is charged, newspapers can deduct the mailing costs for an in-state subscription from the total subscription revenue and pay six percent sales tax on the difference in two the amounts.

"With mailing costs so high, it's to the newspaper's advantage to deduct those costs from the subscription revenue and pay the tax on the difference," said KPA Executive Director David T. Thompson.

For more information about the sales tax on single copies or in-state subscriptions or how to deduct postage costs on mailed subscriptions, contact KPA at 800-264-5721.

SUNSHINE

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sensus that's developed over the past 30 years that the public has a right to know."

But, with the United States at yellow alert for terrorism and Americans killed in a Saudi Arabian bombing May 12, he said, the public doesn't need to know the keys to emergency responder radio frequencies, or the location of water flow valves at nuclear plants.

Critics counter that existing laws already provide enough exemptions to provide for security concerns, and that, while lawmakers try to respond to public fears, they also are weakening

important protections for a free society.

"I certainly see a trickle down from the Department of Homeland Security idea that critical infrastructure ought to be secret, and we'll all be safer," said Rebecca Dougherty with the Reporters Committee for Freedom of the Press.

"Too much information is being locked up," she said. "We have not seen terrorists filing freedom of information requests for open records in the past, and we will not see that in the future."

On the Net: The Reporters Committee for Freedom of the Press: <http://www.rcfp.org/>

The Freedom of Information Center at the University of Missouri School of Journalism: [http://www.missouri.edu/\(tilde\)foiwww](http://www.missouri.edu/(tilde)foiwww)

COMMISSION

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"One of the most time-consuming jobs in my role as NNAs chief volunteer expert on postal matters is helping newspapers to solve delivery problems," he said. "These problems generally involve delivery outside the county, since within-county newspapers are usually carrier route sorted, sequenced, and drop-shipped into the local offices and are easily handled the same day received. (It is) not unusual to find the same malady afoot wherever the problems are: the plants are not using the Postal Services own Periodicals Standard Operating Plan."

Heath said the plan requires plants to handle Periodicals mail with First-Class mail whenever possible, to ship it in identifiable containers and to keep it segregated from other mail classes. Failure to do so slows down the time-sensitive mail.

Heath also criticized the recent request of USPS for a Negotiated Service Agreement to provide volume incentives to a large-first class mailer.

NNA does not oppose NSAs on principle, he said. "Although we do have concerns with the Postal Services ability to manage the flood of requests it is surely to get and to ensure a benefit to all mailers from its agreements, we

do not oppose NSAs that are based upon work-shared solutions to a more efficient mailstream.

"We do oppose volume-based discounts, as we believe these are dangerous tools in a statutory monopoly and that they will undermine public faith in the Postal Services ultimate mission of universal service. We most emphatically oppose them when they are launched into highly competitive markets that may be served by players of a variety of sizes.

"Therefore, I strongly urge this Commission to recommend a statutory prohibition upon NSAs based solely or primarily upon volume discounts."

He said if such NSAs are to be allowed the Commission must at least urge legislative action to prohibit NSAs without a probative market analysis by the Postal Service to accompany every NSA submission; a specific finding by the Postal Rate Commission that the market in which the NSA operates is sufficiently competitive to withstand the impact of a postal discount that only one or a few of the market participants will enjoy and a demonstration that small businesses within the NSAs intended marketplace will not be irreparably harmed.

The nine-member Commission concluded its public hearings with a two-day session in Washington, DC. Its report to the President is due July 31.

What's happening at your newspaper?

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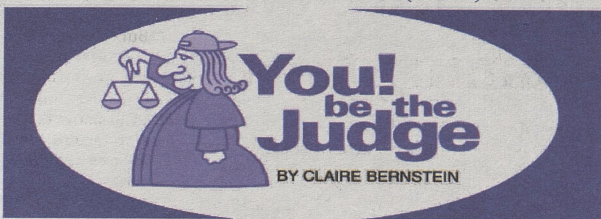


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Woman of His Dreams

Jack showed his friend a newspaper clipping. "Meet the woman of my dreams, Rudi."

"YOU'RE SENDING HER A HOME ENTERTAINMENT CENTER?!!" Rudi yelled.

"NOT THE PERSONAL ADS!" Rudi groaned.

But Jack was in love. He showered Edwina with gifts and cash.

"Just listen to this, Rudi. 'Beautiful, loving woman seeks serious relationship filled with the many wonders of life.' What have I got to lose?"

Edwina's words made it all worthwhile. "I count the hours until I can repay you with everlasting love."

Jack wrote to Edwina and Edwina wrote back.

The prison guards discovered Edwina's stash of gifts. "She's got a slew of unsuspecting men showering her with gifts. And she's promising undying love to ALL of them."

"Dearest Jack, I can tell that you're a man of elegance. But I think you should know that I am presently living in..." Jack gasped.



Edwina was charged with theft.

"SHE'S IN JAIL!?!?" Rudi was horrified.

In court, the State was outraged. "Your Honor, Edwina got expensive gifts and cash by making promises she had no intention of keeping. That's theft."

Jack shrugged. "I'm sure it wasn't a bad crime."

The letters continued. "My darling Jack, you help me survive in this prison hell where I'm lacking even the basic necessities."

Edwina fluttered her eyelashes. "Your Honor, I did promise love and even marriage in return for the gifts, but I didn't steal anything. These men were paying me to feed their egos."

Jack couldn't let Edwina suffer.

Is Edwina guilty of theft?

YOU! Be The Judge. Then look to the left for the court's decision.

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PEOPLE

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Prior to joining Landmark Community Newspapers, Inc., he was a photographer at the Johnson City Press.

Gregg's main beat includes city council, fiscal court and the Carrollton Police Department and Carroll County Sheriff's Office, along with the myriad of other county entities as assigned.

News-Enterprise holds 5th annual Kids' Funfest

Over 3,000 people attended this year's annual Kids' Funfest sponsored by The News-Enterprise in Elizabethtown on Saturday, April 19.

Twenty businesses set up activity and information booths at Pritchard Community Center in Elizabethtown for families across the region.

The News-Enterprise brought the national celebrity Sponge Bob Square Pants to the show and took free Polaroid pictures of the first 600 children.

The event featured demonstrations such as karate and a children's fashion show. The News-Enterprise's Newsy attended the event giving out handshakes and hugs.

The event was free for children and \$1 for adults with all ticket proceeds going to Big Brothers / Big Sisters.

Reddoch named copy editor at News Enterprise

Sara Reddoch has joined The News-Enterprise newsroom in Elizabethtown as a copy editor.

She comes to Elizabethtown from the Shawnee Journal in Kansas where she served as editor.

Prior to her work in Kansas, Reddoch was an assistant managing editor at the Kansas City Kansan.

Robb joins News-Journal classified staff

Renee Robb has been hired as a

classified advertising representative at the Central Kentucky News-Journal in Campbellsville.

Robb graduated from Green County High School and Campbellsville University. At CU, she majored in marketing and sociology. She worked in sales for more than a year while living in Florida and before returning to the area.

Parsons named managing editor at Register

Erin Parsons was named the new managing editor of the Richmond Register on May 1.

Parsons is a 2000 graduate of Eastern Kentucky University with a Bachelor's of arts degree in journalism.

Parsons came to the Register in 2001 as an education reporter after working for nine months at the Georgetown News-Graphic as a reporter. She was later named features editor at the Register in 2002.

UK Journalism School Receives Reaccreditation

The University of Kentucky's School of Journalism and Telecommunications has been reaccredited for another six years by the Accrediting Council on Education in Journalism and Mass Communications.

The journalism school is a part of the UK College of Communications and Information Studies.

The unanimous stamp of approval by the accrediting panel came after a yearlong self-study by the UK school's faculty and staff and a four-day inspection last fall by a team of educators from several collegiate journalism schools in America. Accreditation is based on compliance with standards in such areas as quality of faculty, instruction, scholarship and public service.

A report by the visiting team of journalism educators said that "a student-centered culture pervades the

(UK) school." The team's report also said members were "impressed with the important role the School is playing, especially in the Commonwealth, in advancing the public discussion of journalism and the First Amendment."

"We're very pleased with the reaccreditation and the recognition and affirmation that it gives to the quality of our program," said Richard Wilson, interim director of the journalism school, which enrolled nearly 430 students during the recently completed spring semester.

WKU finished 3rd overall in Hearst competition

For the fifth straight year, Western Kentucky University's School of Journalism and Broadcasting has placed among the top three nationally in Hearst Journalism Awards Program.

Western finished third overall in the 43rd annual Hearst competition, often called the Pulitzer Prize of collegiate journalism. Western won the title in 2000 and 2001, was second in 2002 and third in 1999.

"This marks the fifth consecutive year that we've placed in the top three overall. None of the other schools in the Hearst competition can claim that," said Jo-Ann Albers, director of the School of Journalism and Broadcasting.

The Hearst Journalism Awards Program includes writing, broadcast-ing and photography competitions.

Northwestern won the overall competition followed by North Carolina, Western Kentucky, Penn State, Syracuse, Arizona State, Montana, Florida, San Jose State and Missouri. Western will receive a \$2,500 award.

Western won the Intercollegiate Photojournalism Competition, was seventh in the Intercollegiate Writing Competition and finished eighth in the Intercollegiate Broadcast News Competition.

In the competition's final writing contest, Rex Hall Jr., a Louisville

senior, placed 13th in spot news writing.

WKU's Ryan Clark of Louisville won the Hearst feature writing contest and will compete in the national writing championships in June in San Francisco.

Five WKU photojournalism students are among 12 national semifinalists who will submit additional photos for judging. Six finalists will compete for national honors June 2-8 in San Francisco.

The photo semifinalists are: Shannon Guthrie, a Bowling Green senior; Lauren Clifton, a Shelbyville senior; Brett Flashnick, a sophomore from Columbia, S.C.; Amanda Odeski, a Dallas senior; and Brian Wagner, a senior from Knoxville, Tenn.

Daily Independent Moves to Morning Distribution

The Daily Independent of Ashland will switched from afternoon to morning at the end of May. The newspaper also will change its name to The Independent. Other changes include:

An extra section Monday through Friday that will be designed primarily to provide more news of local interest.

More offerings by newspaper staff members in the form of personal view columns covering a wide range of topics.

An improved supplement to Sunday editions giving TV listings for the week ahead, and expanded TV grids each day the remainder of the week.

More stories and photos at various times throughout the week that focus on news from the entertainment world, ranging from stories about the celebrities to "best bet" information on movies and television programming.

Basic packaging changes on the inside pages of the newspaper designed to make it easier for readers to find what they're looking for.

Conversion to a narrower page width, already established as the new standard for newspapers.

DEATHS

Continued from page 2

ate editor and the couple operated the paper as a team, assisted by their son, Richard Stamper.

She was active in both the editorial and business sides of the newspaper operation until she became ill.

Former Ledger & Times publisher dies

Former long-time Murray Ledger

& Times publisher Walt Apperson died Thursday, April 3. He was 70.

Apperson worked for nearly 36 years in the newspaper business before retiring as publisher of the Ledger & Times in March 2001. Prior to coming to Murray, he worked as a reporter/photographer and editor of The Mayfield Messenger, beginning in 1965. He also worked for one year in advertising sales at The Paducah Sun.

A native of Mayfield, Apperson attended Western Kentucky

University on a football scholarship and received his college degree there in 1955. While at WKU, he was named to the All-Ohio Valley Conference football team and was involved with the Air Force ROTC on campus.

After finishing college, he was commissioned Second Lt. in the United States Air Force and served there for three years, most of which was spent on tour with the 313th Air Division in Okinawa. He was discharged from the Air Force as a Reserve Captain before starting his

career in the newspaper business.

Apperson, along with Jim Lancaster and family of Gadsden, Ala., and Ray Edwards, then publisher of The Mayfield Messenger, and family, purchased the Ledger & Times in 1973.

It was at that time that Apperson moved from his position as editor of the Messenger and took over duties as publisher of the Ledger & Times, a position he held until turing over those duties to current publisher Alice Rouse on April 1, 2001.