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The *Transmitter* is free to members and available to non-members by subscription for \$25 per year. KAB's mission is to provide professional lobbying and governmental representation, efficient communication and effective recruiting, education and training for Kansas broadcasters, and to promote free over-the-air broadcasting, for the purpose of enhancing the success of Kansas broadcasters and helping them better serve the people of Kansas.

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Merry  
Christmas  
And  
Happy  
Holidays



## Chairman's message



*Eugene Williams, CEO/General Manager  
KTWU TV, Topeka*

The temperatures are lower, there is an interesting wintry mix in the air, the price of oil is under a million dollars a barrel, there are tons of delays at the airports and the Fed is thinking about cutting interest rates. It must be the holiday season!

As each of you gets deeper and deeper into the festivities of the holidays, I wish you all the very best. It is only apropos that my tenure as Chairman of the KAB comes to an end this month. This is a fun time of the year—great for reflection and introspection. And I'd like to thank each of you for your support and enthusiasm throughout the year.

It has been a busy year and a lot of good things have been achieved. Harriet successfully moved the KAB into its own storefront this year, while also hiring a new staff member, Carmen Terrell. Kansas Marketing Services has become a reality and the KAB Foundation has been organized for future success. Of course by now, you should all know that Kent Cornish will be the new Executive Director of the KAB. And along with Kent are a few new Board members from the ranks of Kansas broadcasters who are willing, ready and able to lead the organization to new heights.

I can truly say that I have been highly engaged in the KAB this year. As the organization continues to grow in its many endeavors, I hope that each of you will consider getting more engaged, as well. Like 2007, 2008 promises to be a very busy year. Your participation and willingness to assist the Board and the

*(continued on page 2)*

# Transmitter

Volume 46 No 11

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## Cornish to succeed Lange at KAB



Kent Cornish, vice president and general manager of KSAS TV and KMTW TV in Wichita, has been named as president/ executive director of the Kansas Association of Broadcasters. He is replacing Harriet Lange,

who is retiring at the end of the year.

Cornish has been at KSAS/KMTW since 2001. Other broadcast experience includes 10 years at KTKA TV, Topeka and 12 years at WIBW TV, Topeka. He is a graduate of the University of Kansas.

The announcement is made by Eugene Williams, KAB Chair and general manager of KTWU TV, Topeka; and Mike Fell, general manager of KXXX/KQLS, Colby, who was head of the selection committee to find a replacement for Lange.

In making the announcement, Williams said, "I'm happy for the KAB membership that Kent was offered and has accepted the position of president/ executive director. He is a long-time Kansas broadcaster whose professional pedigree is extraordinary and without blemish. There is no doubt that he will continue the fine and tremendous work that Harriet has done over the last 25 years." Fell added, "Kent brings an inclusive communication approach that will build upon the foundation of a strong, united membership that has existed throughout Harriet Lange's quarter century of leadership of the KAB. He also brings a dynamic vision to the KAB that will be guided by real hands on experience acquired as a working broadcaster over the last 27 years."

Cornish, who will begin his duties on January 2, stated, "Broadcasting is a great business and having this unique opportunity to lead the KAB is very special. I look forward to working alongside station managers and owners as we move even further into the digital age. Harriet has been a terrific president the past 25 years and following in her footsteps will be a challenge. She has been a friend and mentor in my career and I will use her wisdom going forward."

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**Chairman's message continued**  
new Executive Director is much welcomed. Without your interest, collaboration and enthusiastic influence, many of the goals of the organization cannot be obtained.

Thank you all so much for giving me the opportunity to serve you this year. Have a happy holiday season.

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## Call for entries – Stauffer Award for Sports Broadcasting

KSHSAA will honor a sports broadcaster with the Oscar Stauffer Sports Broadcasting Award at one of the state basketball tournament sites in mid-March, or at a venue of the winner's choice. The competition is open to any Kansas broadcaster who does play-by-play of high school sporting events.

An entry for the competition should be an actual aircheck (continuous play-by-play) of a high school (i.e. KSHSAA member school) sporting event during the 2007-2008 season. The aircheck should be no longer than five minutes in duration. Interviews or sportscasts should not be part of the entry.

Mail entry (**on CD or cassette**) to KAB Sports Chairman Mike Sutcliffe, at KINZ FM, 117 S Grant, Chanute KS 66720.

Questions should be directed at Mike by calling (620) 431-1333 or e-mail him at [mike@kinz.biz](mailto:mike@kinz.biz)

**Entry deadline is Friday, January 11, 2008.** Entries received after that date will not be eligible.

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## Mark Your Calendar

### 2008 KAB Convention

**October 12-14, 2008  
Wichita Airport Hilton**

## KAB filings for 2007 summarized

KAB joined the majority of other state broadcast associations in filing joint comments and reply comments with the FCC during 2007 regarding these proceedings:

\*April 23 - The Effects of Communications Towers on Migratory Birds;

\*June 19 - Request for Declaratory Ruling regarding the Applicability of Prior FCC Precedent to the Internet Sales Programs of Bid4Spots, SoftWave Media Exchange and dMarc;

\*August 6 and August 21 - Joint Comments and Reply Comments in the Request for Declaratory Ruling regarding the Application of the Commission's Political Programming Regulations to Three Internet "Airtime Sales Programs";

\*October 1 – DTV Consumer Education Initiative;

\*October 15 - Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service;

\*October 31 – Joined RTNDA and other associations in a letter pleading to oppose the Notice of Apparent Liability against Comcast Corporation for violation of the FCC's sponsorship identification rule in connection with the airing of a video news release;

\*December 3 and December 17 – Joint Comments and Joint Reply Comments in the Review of the Emergency Alert System;

\*December 14 – Joined in a letter pleading with other state broadcast associations urging the Commission to reconsider its Notice of Proposed Rulemaking on Broadcasting Localism.

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## Political broadcasting guide available

KAB Hotline Attorney David Oxenford has made available to KAB, a political broadcasting advisory for 2007-2008.

*Political Broadcasting – Answering Your Questions on the FCC's Rules and Policies*, is available on KAB's web site, Legal and Regulatory page:

<http://www.kab.net/LegalandRegulatory/default.aspx>

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## 2008 Political windows

In those counties where applicable, city primaries will be February 26. The lowest unit charge (LUC) window for local candidates begins 45 days prior, on January 12. City general elections will be April 1 with the LUC window beginning 60 days prior on Feb 1.

Kansas primary election for state and Congressional offices is scheduled for Tuesday, August 5, 2008. The general election will be Tuesday, November 4. The lowest unit charge (LUC) window for the state primary is June 21, 45 days before the primary election. The LUC window for the general election is September 5, which is 60 days prior.

The Republican Presidential Caucus is Saturday, February 9, 2008. Go to <http://ksGOPcaucus.org> for all information about the Republican caucuses.

The Democrat's Presidential nominating process will begin with local caucuses on Tuesday, February 5, 2008. Go to <http://ksdp.org/node/3323> for information about the Democrat's caucuses.

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## New tools for DTV transition

The NAB has made available two new tools for stations on the digital television (DTV) transition – new DTV action spots and a DTV station checklist.

The new spots were distributed via satellite on December 18. The package includes a fresh DTV action spot in English and Spanish, in 30, 25/5, and 15 second versions; a new English and Spanish spot to promote NAB's DTV Road Show when it visits a local market; and additional video footage of the DTV Road Show for newscasts and other promotions.

NAB has placed on the [www.DTVanswers.com](http://www.DTVanswers.com) Web site, a new DTV station checklist, which outlines steps stations should take before February 17, 2009. For a list of tools available to stations on the DTV transition, visit [www.dtvanswers.com/membertools](http://www.dtvanswers.com/membertools).

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## 2007 KAB Year in Review

THANKS to the KAB Board of Directors and member volunteers who gave time and effort to KAB events and initiatives in 2007. Following is what they accomplished on behalf of Kansas broadcasters.

### 2007 KAB Events

- January 23, KAB EEO Compliance Webinar
- February 20, KAB/Topeka Broadcasters luncheon for Shawnee County Legislative Delegation, Statehouse
- April 2, KAB Student Seminar, Wichita Hyatt
- April 24, KAB Sports Seminar, Kauffman Royals Stadium
- May 10, KAB Music licensing/streaming webinar
- May 24, KAB / MSTV DTV Transition, *The Rubber Meets The Road*
- June 13, KAB Sales Seminar, Wichita
- June 26, Career Fair, Wichita
- September 19, News/Talk Legal Webinar
- October 21-23, KAB Convention, Prairie Band Casino and Resort, Mayetta
- October 31, KAB Breakfast for KC area legislative delegation, Leawood
- November 27, Political Broadcast Webinar

### Other Activities and Projects

\*KAB hired a full time administrative assistant, Carmen Terrell, who began at KAB in January.

\*KAB lobbied at the national level on issues of vital concern to Kansas broadcasters. KABers called on our Washington DC delegation and attended NAB's Leadership Conference. KAB also coordinated member meetings in-state with Kansas Congressmen Todd Tiahr, Dennis Moore, Jerry Moran, and Nancy Boyda.

\*KAB advocated for Kansas broadcasters before the state legislature and monitored the legislature for proposals detrimental to Kansas broadcasters. KAB successfully advocated for adding a broadcaster to the Kansas Commission on Emergency Planning and Response, and passing a clarification of political candidate sponsor ID requirements, as well as the repeal of the law (which was not enforced) that made it illegal to operate a vehicle with television equipment visible from the driver's seat. Other legislation which the KAB supported on behalf of Kansas broadcasters dealt with open government.

\*KAB's for-profit affiliate, Kansas Marketing Services, Inc., contracted with an independent

media buyer for the placement of ads by KMS clients.

\*KAB funded a study to determine the feasibility of a successful endowment campaign for the KAB Foundation.

\*KAB continued involvement in Kansas AMBER Alert Task Force.

\*KAB coordinated the installation of EAS equipment in the NWS offices (funded by a Homeland Security grant).

\*KAB continued to offer member stations FREE legal hotlines to give members a reliable, quickly available source of expert legal advice.

\*KAB continued the Alternative Broadcast Inspection Program for radio and television stations.

\*KAB continued the NCSA time bank program resulting in revenues to the KAB from NCSA participants: KS Army National Guard, U.S. Coast Guard, KS Radon Program, KS Department of Transportation, The Crisis Center, Kansas Department of Wildlife and Parks, Children's Alliance of Kansas, and Valley Hope Association.

\*With other state broadcast associations, KAB filed comments in numerous FCC proceedings – the effects of communications towers on migratory birds; request for declaratory ruling regarding the applicability of prior FCC precedent to the Internet sales programs of Bid4Spots, SoftWave Media Exchange and dMarc; digital audio broadcasting systems and their impact on the terrestrial radio broadcast service; DTV consumer education initiative; eligibility rules for FM broadcast translator stations; and emergency alert system second report and order.

\*KAB coordinated member stations continued commitment to employment nondiscrimination through outreach efforts as outlined in KAB's Broadcast Careers Program - career fairs, student broadcast seminars, scholarships, paid internships, online Job Bank, and continuing dialogue and collaboration with broadcast educators.

\*KAB continued to offer EEO1Source for member stations. EEO1Source is an online record keeping and compliance tool for EEO.

\*KAB revised and streamlined the guidelines for KAB station awards and again sponsored broadcast awards for students.

\*KAB awarded more than \$27,000 in 2007, through scholarships to future broadcasters and children of employees at broadcast stations and through its paid student internship program. KAB awarded 17 broadcast scholarships and 13 KAB Kids scholarships.

\*Radio stations took advantage of KAB phone lines during state basketball tournaments.

\*KAB published a *Kansas Radio/Television Directory* and monthly *KAB Transmitters* and distributed numerous communiqués to members about regulatory and legislative issues.

\*Outreach included assisting with the selection of the winner of KSHSAA's Oscar Stauffer Award for Sports Broadcasting; and assisted in the distribution of numerous PSAs and news releases for organizations.

\*The KAB Executive Committee began the search to hire a replacement for retiring KAB President Harriet Lange. The selection of Kent Cornish was announced on November 28. He will begin his KAB duties on January 2, 2008.

## 2008 EAS monthly tests

Tues., January 8, 1:50 pm

Tues., February 12, 10:50 pm

Tues., March 11, 1:50 pm

Tues., April 8, 10:50 pm

Tues., May 13, 1:50 pm

Tues., June 10, 10:50 pm

Tues., July 8, 1:50 pm

Tues., August 12, 10:50 pm

Tues., September 9, 1:50 pm

Tues., October 14, 10:50 pm

Tues., November 11, 1:50 pm

Tues., December 9, 10:50 pm

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## Increased closed captioning required January 1

FCC requirements governing closed captioning of "library" or "pre-rule" English-language video programming will significantly increase on January 1, 2008. Pre-rule video programming is programming that was first published or exhibited before January 1, 1998 (for analog programming) or before July 1, 2002 (for digital programming). The FCC's regulations require that 30 percent of all pre-rule programming that is not otherwise exempt from a captioning obligation be captioned per channel, per calendar quarter. Effective January 1, 2008, the percentage of pre-rule programming required to be captioned will increase to 75 percent per channel, per quarter. Additional information is available from Davis Wright Tremaine's Web site:

[http://www.dwt.com/practc/communications/bulletins/09-07\\_CaptioningObligation.htm](http://www.dwt.com/practc/communications/bulletins/09-07_CaptioningObligation.htm)

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# Washington update

## At the FCC

\* The **Report on Broadcast Localism** and Notice of Proposed Rulemaking adopted by the FCC on December 18, sets forth proposals intended to increase local programming content and diversity. The Report makes tentative conclusions regarding the following proposals, for which it seeks comment:

- Qualified LPTV stations should be granted Class A status, which requires them to provide 3 hours per week of locally-produced programming;

- Licensees should establish permanent advisory boards (including representatives of underserved community segments) in each station community of license with which to consult periodically on community needs and issues; and

- Commission adoption of renewal application processing guidelines that will ensure that all broadcasters provide some locally-oriented programming

The Report also states that the Commission will: Better educate members of the public as to the obligations of broadcasters and the Commission's procedures so that viewers and listeners can become more actively involved in ensuring that stations offer locally oriented programming; and Investigate other ways to assist prospective radio licensees to identify suitable available commercial FM spectrum in the communities in which they wish to broadcast, including authorizing the development of software to do so.

The Report notes that broadcasters are obligated to operate their stations to serve the public interest, including their airing of programming responsive to the needs and issues of their station communities of license. According to the Commission, the actions and proposals contained in the Report are intended to ensure that the nations' broadcasters will meet this responsibility.

For additional information go to Davis Wright Tremaine's Broadcast Law Blog at <http://www.broadcastlawblog.com>

\*The FCC's Public Safety and Homeland Security Bureau has released the **2007 Emergency Alert System (EAS) Handbooks** for EAS participants. The existing handbooks have been updated for analog and digital television and radio stations, as well as cable systems. The handbooks provide guidance and instructions for national, state and local EAS activations and highlight appropriate testing procedures. The FCC's rules require that copies of the handbook be located at "normal duty positions or EAS equipment locations when an operator is required to be on duty and be immediately available to staff responsible for authenticating messages and initiating actions". The 2007 EAS Handbook is available online at:

<http://www.fcc.gov/pshs/services/eas/handbooks.html>

\*On a vote of 3 to 2 on December 18, the Commission adopted a **new cross-ownership rule** to allow media companies in the Top 20 markets, under certain conditions, to own both a newspaper and either a TV or radio station. The FCC also adopted a **rule that limits a single cable company from serving more than 30%** of all U.S. subscribers.

\*Also on December 18, the Commission adopted a series of proposals **to increase broadcast ownership by new entrants** and minority- and women-owned small businesses.

## In Congress

\*Sen. Patrick Leahy (D-VT) and Rep. Howard Berman (D-CA) have each introduced a bill in their respective house to **impose new performance fees on local radio for airplay of music**. S 2500 and HR 4789 mandate that local radio stations pay the recording industry a performance fee for the music they air for free on the radio. **Kansas Reps. Moran, Moore, Boyd, and Tiahrt have signed on to H Con Res 244**, a bill which supports the broadcast position that "Congress should not impose any new performance fee, tax, royalty, or other charge relating to the public performance of sound recordings on a local radio." H Con Res 244 currently has 126 co-sponsors. **Senator Sam Brownback**, who serves on the Senate Judiciary Committee – which will consider S 2500 – has indicated through staff that he opposes S 2500. At press time, KAB had not yet heard from Sen. Pat Roberts about his position on S 2500.

\*Both the House and Senate have passed a bill which will speed responses to FOIA requests. The **Openness Promotes Effectiveness in our National (OPEN) Government Act**, if signed into law, would compel the government to speed up responses to Freedom of Information Act requests from journalists and others, and create a system of penalties for federal agencies that fail to meet deadlines for complying with requests for information.

\*House Judiciary Committee Chairman John Conyers (D-Mich) and a group of House members have introduced a **bill that would toughen criminal and civil penalties for copyright and trademark infringement**. It also would create an Office of the United States Intellectual Property Enforcement Representative at the White House and an IP-enforcement division at the US Department of Justice. The bill was expected to be heard before the House Intellectual Property Subcommittee in mid-December. (Source: *Broadcasting and Cable*).

\*The Senate Judiciary Committee has passed a bill that would **provide for television cameras to cover open proceedings of the U.S. Supreme Court**. If a majority of the justices believe that cameras would violate the due process rights of any of the litigants, cameras would be barred.

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# Send comments - AM on FM translators proceeding

The NAB is asking AM radio broadcasters to file comments describing how the use of an FM translator would enhance service for the benefit of listeners. The Federal Communications Commission has opened a proceeding which could ultimately permit AM radio stations to operate FM translators as a fill-in service.

The FCC notice may be reviewed at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-07-144A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-07-144A1.doc)

To file comments online, go to: [http://gullfoss2.fcc.gov/prod/ecfs/comsrch\\_v2.cgi](http://gullfoss2.fcc.gov/prod/ecfs/comsrch_v2.cgi). In the first box entitled "Proceeding", indicate 07-172.

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## Adieu, farewell



What a ride you've given me. You've allowed me to work for you, in one of the greatest industries in the state of Kansas and the U.S.

A great honor you've bestowed on me by

trusting me with the management and operation of your association. I came to the position 25 years ago by chance and timing, but stayed because of the variety of responsibilities the position provided and because you Kansas broadcasters are a great group of people. You always treated me well and with fairness. In those early days of my tenure, you exhibited great patience as I learned the ropes. Thankfully, your patience endured as the years passed. And you were always more than generous with your expressions of appreciation. You are indeed a generous community.

Mike and I are looking forward to the next phase of our lives. We'll travel some, go to Denver a little more often to visit our granddaughter, and generally take life a little easier. My goal the first few months of retirement is to shed the 10 pounds I gained during the summer – which means my daily workouts will be a little longer and a little more intense. Ugh!

The KAB is left in excellent hands with Kent Cornish's leadership, along with the able assistance of Carmen Terrell.

I thank you all for your kindnesses and support of KAB during my tenure. You have given me wonderful memories.

I wish each of you a Merry Christmas and Happy Holidays, and a successful and rewarding 2008.

Harriet