

# KAB TRANSMITTER

Vol. 47 No. 2 February 29, 2008



*Mark Vail, Eagle Communications*

## Chairman's Message:

The 2008 NAB State Leadership Conference brought over 600 to Washington to work on a variety of issues facing our industry. The FCC Localism Proposals were discussed extensively and the message carried to virtually every member of Congress by broadcasters. The Kansas Congressional delegation was receptive to extended discussions which proved to be worthwhile for Kansas broadcasters. 1<sup>st</sup> District Congressman Jerry Moran signed a Congressional letter to the FCC expressing concern about the localism proposals and agreed to co-sponsor the Internet Equity Act (HR2060). Other members of the delegation were very open to our discussions and agreed to review and consider our concerns. There is a good possibility that both Sen. Brownback and Sen. Roberts will send a similar letter on the Senate side.

This is an issue each of us needs to take seriously. The comment period has been extended to April 28th. The FCC needs to hear from local broadcasters and community leaders about the service we provide, individually and collectively, to our respective communities. The stories are legion with example after example from 2007-2008 natural disaster situations alone. The key is getting that information on record through the normal comment process.

A link to the comment page on the FCC website is available through the NAB website <http://www.nab.org> or from the KAB website <http://www.kab.net>. Take this one seriously – it is a serious issue.

The KAB has completed 60-days under the new leadership of Kent Cornish. Thankfully his job has not been complicated by extensive State legislative issues which has allowed him to dive into his duties with vigor and without major distractions. Many of you will be getting visits from Kent with the opportunity to discuss a whole array of issues. I hope you will enjoy getting to know him better.

As Spring approaches and Mother Nature plans her visits to the State of Kansas no doubt Kansas Broadcasters will again be called upon to serve the viewers and listeners and the communities we serve – a job we are ready to do.

## KAB Heads to Capitol Hill

(From l-r, Wayne Godsey, Joe Jindra, Mike Fell, Jim Ogle, Mark Vail (seated), Sen. Roberts, Joan Barrett, Richard Wartell and Kent Cornish)

**As part of the NAB's State Leadership Conference, seven KAB members and Kent met with the Kansas Congressional delegation and their staffs last week. The group updated each Congressman/woman on the DTV transition and requested they include continual information to constituents in their newsletters. The other issues discussed were:**



- Expressing opposition to the “Performance Tax” (requiring local broadcasters to pay record labels and performers)
- Seeking support of a Resolution that would roll back copyright royalty fees in internet streaming and establish new reasonable rates for the next several years. Sen Brownback is a co-author of this on the senate side and Rep. Moran is signing on as a co-sponsor on the house side. We asked the same of the rest of the Kansas delegation.
- Asking for support of the “First Response Broadcasters Act” which would assure during a disaster a station’s access to disaster zones and protection from confiscation of fuel, generators, etc. We called this the “no-brainer” issue and each Congressman/woman agreed.
- Making sure members oppose any attempts by cable to undermine the current retransmission consent process by eliminating the market-based negotiations with television stations.
- Requesting they refuse to support any bills/resolutions that would allow unlicensed personal and portable devices in the television spectrum. These devices have continually failed field tests before the FCC, and at this crucial time of the DTV transition they can’t be unleashed into the spectrum.

If you have questions about any of these issues, please let Kent know.

## **FCC to Allow NAB Version of DTV Education Requirements**

The FCC today released an order requiring TV stations to air PSA's, crawls and other notices that educate the public about the DTV transition and the end of analog TV service next February. What this FCC rule means to you is this: stations will have the option of voluntarily opting into the NAB plan or defaulting to the FCC's plan. The order allows TV stations to choose among three options requiring different mixes of on-air notices.

**Option 1:** A station must air one PSA and one crawl in each six-hour quarter of each day. The load increases to two PSA's and crawls per quarter day on April 1, 2008, and to three of each on Oct. 1, 2008.

**Option 2: (NAB Version)** A station must air an average of 16 PSA’s and an average of 16 crawls, snipes or tickers per week between 5 a.m. and 1 a.m.

**Option 3 (for noncommercial stations only):** A station must air 60 seconds per day of on-air consumer education, in variable timeslots, including at least 7.5 minutes per month between 6 p.m. and midnight.

## **Kansas Legislative Update**

During the past month I have testified in support of three bills under consideration

- **HB 2775** –would require all government agencies and municipalities to report their lobbying expenditures. We have joined the Kansas Press Association (KPA) and others in this open records bill. Wayne Godsey of KMBC-TV in Kansas City also testified on this. The Federal and State Affairs Committee asked that some revisions be made in the language and should take action in the next couple of weeks. After approval (positive thinking) it will go to the full House
- **HB 2825** – this would require judges and justices to explain in open court their justification for closing any court documents or hearings. Currently they can simply close them at the request of either party. The Judiciary Committee should vote this bill out and to the full House within the next week as well.
- **SB 621** – this stems from an ongoing battle in the Topeka City Council over the purchase of a police helicopter. Several members of the council engaged in “serial communications” in

discussing this issue. Those communications were conducted by phone by one member of the council to each of four other members for the purpose of influencing the vote. Along with the KPA, we believe this could violate the spirit of open government, but to make sure the law is clear this bill would define meetings for all governing bodies. Some revisions will need to be made in the language, and the Elections Committee will review those and vote in mid-March.

- SB 313 – the Shield Law that protects reporters from revealing sources in certain instances and is suppose to receive a hearing in mid-March by the Senate Judiciary Committee. I will be looking for News Stations who have examples of this happening – or nearly happening to come to Topeka to testify. Please talk about it with your news directors and let me know if you are interested in helping out. Nothing sounds better to the committee than real live constituents!

## **Oscar Stauffer Award Winner!**

Aaron West of KSKU-FM in Hutchinson was selected as this year's Oscar Stauffer "Sportscaster" honoree. This award is presented by the Kansas State High School Activities Association each year and will be presented to Aaron on March 5 at the 3A State Tournament in Hutchinson. Aaron has been in broadcasting over 10 years since graduating from Wellington High School. He currently oversees the day to day operations for the four stations and carries a full sports casting schedule of high school football, basketball and baseball games. Congratulations, Aaron

## **A Chance to Win Another Sports Award**

Each year the KAB also honors a sportscaster with the Hod Humiston award. Mr. Humiston was the first television sportscaster in Kansas and was founder of KSKU radio. Last years winner was Bruce Haertl of KWCH-TV in Wichita. Please submit your nomination to the KAB by March 17. The board will select the winner who will receive his/her award at the annual KAB Sports Seminar May 6<sup>th</sup> at Kauffman Stadium.

## **2008 Station Renewals**

Thanks to these additional stations that have renewed their membership with the KAB for 2008 in January, February and March: **KNDY AM/FM**, Marysville; **KQNK AM/FM**, Norton; **KDNS/KZDY**, Glen Elder; **KWCH TV**, Wichita; **KAKE TV**, Wichita; **WIBW TV**, Topeka; **KUPK/KLBY TV**, Garden City; **KLJC FM**, Kansas City; **KOFO AM**, Ottawa; **KNCK/KCKS**, Concordia; **KNZA/KMZA**, Hiawatha; **KVOE AM/FM**, Emporia; **KGSO/KIUL/KYUL**, Wichita; **KVSV AM/FM**, Beloit; **KCCV AM/FM**, Kansas City; **KOAM TV**, Pittsburg; **KPRD FM**, Hays; **KGCR FM**, Brewster; **KSEK AM/FM**, Pittsburg; **KLKC AM/FM**, Parsons; **KTPK FM**, Topeka; **KCVW FM**, Hutchinson; **KBCU FM**, North Newton; **KREP FM**, Belleville; **KIKS/KALN**, Iola.

## **Let us know: Do You Like the New Format of the Newsletter?**

Send comments to [kent@kab.net](mailto:kent@kab.net)