

THE KANSAS PUBLISHER



OFFICIAL MONTHLY PUBLICATION OF THE KANSAS PRESS ASSOCIATION JULY 15, 2015

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There still are a variety of jobs available around the state.

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Doug Anstaett says a recent judges conference was a breath of fresh air on free press/fair trial issues.

KPA CALENDAR

JULY 16-17

Adobe Creative Suite training, with Russell Viers, KPA office in Topeka.

OCT. 1-3

National Newspaper Association Convention, Saint Charles (Mo.) Convention Center.

DEC. 15

National Bill of Rights Day.

APRIL 22-23, 2016

Kansas Press Association annual convention, Overland Park DoubleTree Hotel.



This is a picture from a past Kansas Press Association annual convention. KPA staffers have identified a number of those in the picture. Since former KPA executive

director David Furnas is in the front row (at right), we know it was pre-2000, but we're not sure of the year or the location. A partial list is on Page 8 to get you started.

Judicial Council to study private e-mails

From the Wichita Eagle

The Kansas Judicial Council will study a loophole in the state's open records act that allows public officials to send private e-mail for official business.

The study was requested by Senate Vice President Jeff King, R-Independence. It was prompted by reporting by The Eagle on the use of private e-mail by Gov. Sam Brownback and his budget director, Shawn Sullivan.

Christy Molzen, staff attorney with the Judicial Council, said the council would make a policy recommendation to the Legislature by next session.

Attorney General Derek Schmidt said in an

April opinion that private e-mails from government officials do not now fall under the Kansas Open Records Act. He later recommended how the Legislature could close the loophole for private e-mail communications sent in the course of official duties.

The Judicial Council includes King, his House counterpart John Barker, R-Abilene; Kansas Supreme Court Justice Marla Luckert; and Wichita attorney Stephen Robison.

Meetings are Aug. 7, Sept. 11, Oct. 2 and Nov. 13 on the subject.

Representatives of the Kansas Press Association, Kansas Association of Broadcasters and others have been asked to provide input.

Same sex marriage: to publish or not to publish

The U.S. Supreme Court's recent 5-4 decision on same sex marriage has forced many newspapers across the nation to address their publication policies.

Some have decided, as one Southern newspaper did, to not publish same sex engagement and wedding announcements and to go as far as to warn employees not to discuss the issue on social media.

Others in Kansas have been publishing such announcements with no repercussions, while some have gotten push back.

One Kansas newspaper owner reported to the Kansas Press Association office last week that he had lost a couple of advertisers and a few subscribers after publishing his first same sex marriage announcement.

KPA did a survey last November on the subject and got mixed reactions from members, but most said they would publish the announcements if the marriages became sanctioned in the United States.

Doug Anstaett, KPA executive director, will resend the results of the survey upon request.

Adobe Bridge is fastest way to rename, store your images

When a person visits as many newspapers as I do, he starts to notice similarities.

It used to be that most papers wanted staff training in InDesign (or QuarkXpress in years past) and Photoshop. I usually convince clients that they should get a little training in Acrobat while I'm around, and probably an hour's education in layout and design. After all, I'm usually on site for a full day or more.

Lately, I've noticed some interesting trends. With the inception of Adobe Creative Cloud, I began noticing more papers were interested in learning how to use the InCopy/InDesign workflow. I even dedicated a column to one such paper back in February. InCopy's not the only application getting renewed interest these days.

Recently, I spent a day with a weekly newspaper in Eastern Ohio. After lunch, the publisher asked something I've heard quite often in my visits with 100-plus newspapers this year, "Could you take a little time to teach us some things about Bridge?"

Adobe Bridge isn't exclusive to the latest version of Adobe products. The Bridge and its predecessor, the Photoshop Browser, have been around since Photoshop 7.0. Ask your parents or grandparents about it. They probably remember the Browser.

With the advent of Creative Suite in 2003, the Photoshop Browser made way for Adobe Bridge, which worked in much the same way. The difference is that Bridge works with more than just Photoshop, although it's still most commonly used in association with the photo manipulation application.

Why the sudden resurgence of interest in Bridge? My guess is that word has gotten around that Bridge is one of the most useful tools in Adobe's arsenal, especially when it comes to automating processes to save time. And while your newspaper may have all the time in the world, a lot of folks are looking for ways to save time, without cutting corners when it comes to quality.

Let's look at a few of my favorite Bridge features:

□ **Batch Rename:** Upon opening Bridge and selecting a folder, the user sees thumbnails of each of the items in that folder on the screen. When selecting a camera or card reader, the user will see thumbnails of

the pics on the camera card. When selecting all, or a select group of files on a card, thumbnails will appear in Bridge. By right-clicking on any of the images, a list appears which includes the option, "Batch Rename."

Batch Rename makes it easy to quickly rename all the images at one time and save them to a place you designate on the computer or server. For instance, let's say you took 200 photos at a ball game. You might name them "tigersfootball-001,"

"tigersfootball-002," and so on.

You could even include the date in the filename, using something like "150812-TigerFootball-001."

□ **Keywords:** Jean Matua, Minnesota, once asked me how she could easily create a photo archive of her pics, without purchasing expensive software to do it. The answer was a no-brainer, "Use Adobe Bridge."

Bridge allows the user to include hidden information inside photos that can be used to simplify

the search process days, months or even years from now. Let's say you took the 200 football pics from the previous example and wanted to add keywords to them. One option would be to add specific words to every image. "Football" or "Tiger" would be examples of keywords the user would want included in each pic. This could be done by two clicks of the mouse.

Other keywords, such as "quarterback" or "Smith," wouldn't be needed in every photo, but would be helpful in pics that included a quarterback or someone named "Smith." These could be added individually to the appropriate images.

Begin adding keywords to each image and before long you will have the ability to search through years of photos in seconds, using just a few clicks on the keyboard.

□ **Image Processor:** The Image Processor tool in Bridge is actually based on a script in Photoshop, not that you need to know that to use it. Bridge contains dozens of tools to speed up your workflow. The Image Processor speeds things up by automating many tasks that could take hours manually.

For instance, let's say I've just received 200 images of houses for a real estate guide that's due yesterday. I could open each pic individually and resize and save in Pho-



Kevin Slimp

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Advertising team must try to avoid turf battles

This story has a cast of five characters:

1. The advertising sales person worked hard to build relationships with clients, learn their objectives and develop marketing plans. Since he had previously worked as a copywriter at an ad agency, he had unique marketing insights.

2. The graphic designer saw herself as an artist, and indeed had impressive design skills. However, she had no contact with advertisers. Her goal was to make each ad a work of art. She resisted suggestions and acted like she was threatened by others' knowledge of ad design and creativity.

3. The advertising director managed the sales person and the graphic designer. Her goal was to oversee ad revenue. She wanted everyone to do their jobs, follow the rules, keep quiet, leave her alone and make money for the paper.

4. The big entity in the background was the corporate newspaper office, which had ironclad policies for its newspaper properties. In their minds – and in their employee manual – sales people sell and creative departments create.

5. The advertiser in the story had little confidence in the ads the paper created for him.

Although the ads looked good, they didn't produce the results he needed. As a result, he was seriously considering cutting back – or not renewing – his ad contract with the paper.

Tensions had been building for several months. The inevitable collision was set off when the advertiser approved a series of ads which were proposed by the sales person. When the graphic designer saw the layouts – with copy written, type specified and illustrations selected – she hit the roof and complained to the ad manager. It was the classic case of a complainer and a person who wants the problem to disappear. In the interest of a quick fix, the ad manager told the sales person to “stop being creative.”

What happened in the end? The sales person found another job. The ad manager eventually left the advertising industry, after experiencing nearly 100 percent turnover in the sales department. The advertiser took his advertising elsewhere. The graphic designer celebrated the hollow victory of regaining control of the paper's creative product, but lost the chance to develop ads for that advertiser. So in reality, everybody lost.

In today's competitive advertising environment, it is crucial for sales and creative depart-

ments to work together. If sales people have unique creative talents, encourage them to use those skills in developing ad campaigns. And if graphic designers are particularly effective in explaining creative techniques, encourage them to talk with advertisers who want inside information on the production of their ads. It's called teamwork.

What would have been the right approach? In my opinion, the ad manager was in position to come up with a solution. She could have seen the conflict as an opportunity to challenge a bad company policy. And she could have encouraged everyone on her staff – not just the

two at the center of the controversy – to bring their talents to their jobs.

Tire pioneer Harvey Firestone once said, “The growth and development of people is the highest calling of leadership.”

John Foust has conducted training programs for thousands of newspaper advertising professionals. Many are using his training videos to save time and get quick results from in-house training. E-mail for information at jfoust@mindspring.com.

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John Foust

Although the ads looked good, they didn't produce the results he needed. As a result, he was seriously considering cutting back – or not renewing – his ad contract with the paper.

Slimp

Continued from Page 2

toshop. An option might be to use image processor to open, resize, convert each pic to CMYK (using an Action, which is accessible by Image Processor), then saving the images as TIFF files, with LZW compression, in a designated folder. Instead of spending three hours to prepare the photos, I've spent two minutes.

That's a very brief rundown of a few of the tools in Adobe Bridge. When I spoke with Jerry Tidwell yesterday, about my trip to Texas this week, he asked me to cover a little InCopy information while at his paper. Once I arrive in Granbury, I won't be surprised if he says, “Hey, Kevin. Could you cover a little Bridge while you're here?”

Kevin Slimp is a speaker and trainer in the newspaper industry. He can be reached at kevin@kevinslimp.com.

THIS MONTH'S QUESTION

Q. With whom are the results of the survey on digital usage going to be shared?

A. No one's individual newspaper information will be shared outside of the Kansas Press Association. We've already been asked for aggregate information by a researcher from the University of Kansas. Our intent is to gauge digital usage so we can design programs to meet the needs of our members.

If you wish to participate, here once again is the link: <https://kspress.wufoo.com/forms/q14vap7e1nja91e/>

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One of the features of the office at the Iola Register is adjustable desks, which offer staff members options at their workstations.

When crunch times hits, staff comes through

I'm not prone to panic, but when I learned last week that I had two days to judge entries for the Washington state newspaper contest, my pulse got racing. I simply did not have the time.

In search of relief, I called Doug Anstaett, KPA director, who, while falling short in that department, did have some sage advice.

"Farm it out to staff," he suggested.

Which, of course, was the answer staring me in the face all along.

Sure enough, the crew came through with an all-hands-on-deck attitude. Between myself and three of my reporters, we judged the entries and made deadline.

It's not the first time I've asked staff to help out with things that go beyond their job descriptions. They've made floats for parades, manned booths at the fair, delivered rural routes and even been game for a dunk booth or two.

Typically, I hesitate to ask staff to help on what I regard as personal responsibilities. After all, it's hard to say no to the boss and I hate being seen as taking advantage of my position.

Because most of us spend the greater

part of our days at work in the newspaper, I try to make it a comfortable and enjoyable environment.

This year, adjustable desks were purchased for employees. Now, they can shift from sitting to standing at their work stations throughout the day. It was not only a big morale booster — at a very affordable cost — but also helped ease physical discomfort especially for those tied to their desks most of the day.

I pretty much learned how to run a newspaper from watching my dad, Emerson Lynn, who ruled the roost for 37 years until I came on in the year 2000. For the next 13 years we worked together. Dad continued to write editorials up until his death in 2013.

He ran the paper as much by benign neglect as any active role. And, for the most part, it worked. Dad was lucky enough to be in the business during years that advertising practically walked in the door. Those days are long gone, never to return.

I learned from Dad that while the little problems usually resolve themselves, the

bigger ones take decisive action.

My biggest failing, as was his, is holding on to employees who are ineffective, or worse, destructive to the business. I'm not a black-or-white person and so tend to let things limp along in the hopes that they'll get better, which they rarely do. It's

only when I realize that the health of the operation is what must take precedence that I can make peace with a decision to let someone go. And while it never gets easier, I'm learning that a good, compatible crew makes all the difference to how we get through the day.

Frequently I

turn to staff for their opinions on business matters. Because the Register is a small operation with many long-term employees, I value their insights and contributions.

That back-and-forth makes for a win-win situation.

It's also what makes the business seem not so much like work, but an adventure.

Susan Lynn is editor and publisher of the Iola Register and president of the Kansas Press Association for 2015-16.



Susan Lynn

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NEWS BRIEFS

KPA office site of attempted burglary

Some time during the early hours on Monday, a person or persons tried to break into the Kansas Press Association office in Topeka.

Although entry wasn't gained, significant damage was sustained to three windows and two doors.

"We didn't actually learn of the attempted burglary until Tuesday morning when I went out briefly to spray some weeds with Round-up," said Doug Anstaett. "Even though the alarm went off on Monday morning, we've had a number of issues with false alarms and nothing seemed awry in the office when we arrived. This time we guessed wrong."

A Topeka police officer filled out an incident report.

"When I told him our alarm had gone

off early Monday morning, he called in and confirmed the police had come to the scene and observed the pry marks and other damage," Anstaett said. "We're upset that neither our alarm company nor the police followed up with us on Monday.

"Had I not gone out to spray the weeds on Tuesday morning, we might not have discovered the damage for several days."

Anstaett said he would be writing a letter of concern to the Topeka police chief and to the alarm company, ADT.

When he later asked a neighboring business owner if he had experienced any issues, he was informed that particular business had a burglary attempt on July 9, and that he had been made aware of other attempted burglaries in the area.

Tourism Tidbits: Survey seek feedback on monthly release

The Kansas Department of Wildlife Parks and Tourism distributes a monthly e-mail through the Kansas Press Association called Tourism Tidbits.

"We're currently in the process of reviewing this distribution and would like your

feedback to help us improve our communications to the media community. If you could spare just three minutes to complete this survey we'd greatly appreciate it," said Tracey Stratton, director of public relations for the department.

IN THE NEWS

Lynette Richards has been named assistant editor of the Junction City Daily Union. She was previously employed by USD 475 as a paraprofessional. She graduated from Junction City High School in 1994.

Four members of the Kansas Statehouse press corps had a live chat on the Topeka Capital-Journal's website in June about the 2015 session of the Kansas Legislature. Participating were Capital-Journal reporters **Tim Carpenter** and **Jonathan Shorman**, **Bryan Lowry** of the Wichita Eagle and **John Hanna** of the Associated Press.

Jan Westfall is the new advertising director for the Larned Tiller & Toiler, the Ellinwood Leader, the Hoisington Dispatch, the Lyons News and Hi Neighbor!

Survey participants will get a chance to win a \$50 gas card. The winner of the random drawing will be contacted via e-mail on Friday, July 31.

Please click on this survey link: <https://www.surveymonkey.com/s/QH63SKW>

CREATING JOBS AND PROSPERITY

How KU benefits the economy

University of Kansas researchers don't just make discoveries that change the world. They make discoveries that create jobs for Kansans and prosperity for our state.

24 active startup companies

159 active license agreements for **commercial use** of KU inventions

\$12 million in licensing revenue

\$275.2 million in externally sponsored research expenditures, including **\$250 million** from sources outside Kansas

\$9 million in corporate-sponsored research funding

29 corporate tenants in the Bioscience & Technology Business Center at KU, including **Garmin** and **ADM**

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MARKETPLACE

NEWS

DIGITAL JOURNALIST — The Wichita Business Journal is looking for a digital journalist who is passionate about growing audience using compelling content, strategic social media techniques and analytics at an award-winning operation that is part of a great company. Our digital editor is in charge of all the WBJ's digital efforts, from posting blogs to engaging with readers using social media and creating strategies for delivering content. Interested? Check out more information here: <http://acbj.com/careers/detail/acbj.1611> (7-13)

MANAGING EDITOR — The Clarion newspaper needs a new managing editor. This South Central Kansas weekly has won its division on the editorial side at the annual KPA convention the last two years. Short drive to west Wichita amenities. Great working environment. Contact Publisher Joey Young with your resume at joey@kspublishingventures.com (6-22)

ASSISTANT EDITOR - The Salina Journal is looking for an assistant editor with a talent for design and editing to lead a team of six copy editors and page designers and supervise three part-time employees. At the Journal, it is our goal is to produce a news-filled product with a lively front-page design that will entice and engage readers. Staff are encouraged to use alternative approaches in reporting, design and layout, and we encourage great ideas, collaboration and innovation. The ideal candidate will be a resourceful and energetic self-starter with excellent grammar, spelling and writing skills who can work well under deadline pressure. This person will edit local and wire service stories for style, accuracy, clarity and brevity, write headlines and design and lay out pages. A college degree in journalism or communications is preferred. The Journal offers competitive wages, profit sharing, 401K and health and dental insurance. Pre-employment drug screening required.

REPORTER — The Beloit Call, a three day a week publication in North Central Kansas, is looking for a reporter to cover meetings, events, write features, take pictures, write sports and assist with layout. An ambitious person could also make commissions for selling advertising. Send resume or call Brad Lowell, 785-243-2424 or email jbrad@nckcn.com. P.O. 309, Concordia, KS 66901. Salary commensurate with experience, health care insurance, retirement

benefit and six paid holidays.

FREELANCER — Journalist/writer with experience in breaking/hard news, features and news narrative looking for freelance work. Journalism degree plus 20 years experience. Reply to JMcdaniel19714@gmail.com. (5/20)

MANAGING EDITOR for small daily on High Plains, on I-70. Are you ready to step up? This person will lead a full-time staff of three, plus part-timers, plan and track news coverage, coordinate photo and stories, design and lay out pages, cover some meetings and write some stories, deal with public and online/Facebook pages, generally run the newsroom. Journalism degree preferred, at least two years' newspaper experience. This is a good paper, hoping to get better. Apply to Sharon Friedlander, publisher, sfriedlander@nwkansas.com, and Steve Haynes steve.haynes@nwkansas.com. Colby Free Press/Nor'West Newspapers, Colby, Kan. (785) 462-3963. EOE m/f/h/v (4-30)

REPORTER/NEWS EDITOR for award-winning weekly on High Plains. Are you up to the challenge of continuing a strong tradition? Can you do it all? Do you want to learn the news business? This person will plan news coverage, coordinate the work of part-time staff, cover stories and features, take photos, design and lay out pages, post to web pages and Facebook. Journalism degree or some newspaper experience preferred. Will consider two years-plus experience. Pay commensurate with ability and experience. Competitive pay, benefits, location in Northwest Kansas. Apply to steve.haynes@nwkansas.com. and dpaxton@nwkansas.com. The Norton Telegram/Nor'West Newspapers, Oberlin, Kan. (785) 475-2206. EOE m/f/h/v (4-30)

REPORTER — Award-winning newspaper in southeast Kansas looking for reporter/writer to cover meetings, events, write features, take photos, assist in page layout. Part time to begin, could lead to full time, with additional work coming from sister publication, The Osage County Herald-Chronicle. Some evening and weekend hours required. Newspaper experience preferred. Send cover letter, resume, published clips and two journalism references to Publisher Catherine Faimon at The Coffey County Republican in Burlington, KS. faimonc@gmail.com. (4-6)

MANAGING EDITOR — The Pittsburg

Morning Sun is looking for an editor. We're looking for a hands-on managing editor who can lead by example and motivate a strong news team. Please send a cover letter, resume: mguthrie@gatehousemedia.com.

ENTERPRISING community journalist needed at award-winning weeklies near resort lakes. Great place to start. Fully paid benefits. Details at <http://marionrecord.com/job/>

DESIGN

GRAPHIC ARTIST for award-winning 5-day daily newspaper in Southeast Kansas. The successful candidate will be proficient in the use of Adobe Creative Suite in a Mac based system, and be able to manage two company websites. This full time position is located in Parsons, Kansas, and comes with a competitive compensation and benefit package. Please email resume and samples of your work to pcook@parsonssun.com by Friday, July 10. No phone calls please.

ADVERTISING

ADVERTISING SALES — Accepting resumes for a self-motivated, goal-driven individual to join our sales team in Independence, Kansas. Established client base with the opportunity to develop new clients for both print and online growth. Must be a team player and able to work in a fast-paced environment with deadlines. Please send resume to addirector@dreporter.com with three professional references. (4-16)

ADVERTISING SALES — Accepting resumes for a self motivated, goal driven individual to join our Sales Team. Established client base with the opportunity to develop new clients for both print and on-line business. Competitive pay and full company benefits. Current driver's license is a must. Send resume/application to the Great Bend Tribune, Diane Lacy-Trostle, Ad Manager, 2012 Forest, Great Bend, KS 67530 or email dlacy@gbtribune.com. (2-17)

ADVERTISING SALES — The Pratt Tribune is seeking a goal-driven individual to join our sales team. The successful candidate will be able to discover which of our company's print and digital products our advertisers need to grow their businesses with the goal of selling long-term contracts. We offer a competitive base salary plus commission and an excellent package of benefits. Contact Publisher Conrad Easter-

MARKETPLACE

day at ceasterday@dodgeglobe.com or call (620) 388-4257. (12-1)

GENERAL MANAGER/ADVERTISING DIRECTOR — The Big Nickel, a regional shopper in the four state area around Joplin, is seeking someone to lead an experienced team into the digital age. Please send a resume and a cover letter including digital management successes to mguthrie@gate-housemedia.com. (4-6)

NEWSPAPERS FOR SALE

Respected 128-year-old weekly newspaper in Southwest Kansas; only newspaper in the county. Owner moving out of state. Steady subscription, advertising, annual sales approximately \$140,000. Will include building and property in sale. (785) 341-7573 after 5 p.m. MST.

PRESSROOM

PRESS OPERATOR — Are you dependable? Like working with your hands? Enjoy learning how things work the way they do? Have an ability to fix things? Then you may have the abilities we're looking for. The ideal candidate will have previous mechanical experience and a demonstrated ability to work well with others and can work flexible hours, including nights during the week. Prior newspaper press experience a bonus but not mandatory. The Nevada Daily Mail and Nevada News is located within easy driving distance of Kansas City, Joplin, and Springfield. We're part of Rust Communications, a family newspaper company. Interested applicants should contact Chris Jones, production manager, by calling 417-667-3344 after 4 p.m., or via email at cjones@nevadadailymail.com (7-14)

WEB PRESS OPERATOR — The Sheridan, Wyoming, Press has an opening for a press operator. Six-day afternoon daily newspaper. Terrific benefits. Apply: Becky Martini, Human Resources, The Sheridan Press; becky@thesheridanpress.com. Website: www.thesheridanpress.com

PART-TIME PRESS OPERATOR — The Great Bend Tribune is seeking a part-time press operator to join our printing team. The ideal candidate will have previous web press experience, including print of process color and press make-ready. Good work ethics along with mechanical skills and ability to react quickly to print related problems. We are willing to train the right person. Job requirements include: • Current valid driver's license with clean driving

record, ability to pass a written fork lift test and train on lift; • Color vision and depth perception; • Ability to lift a minimum of 75 pounds; • Ability to read and comprehend written and/or oral English instruction along with ability to communicate effectively with team members. To submit a resume with references or request an application contact jaudus@gbtribune.com.

ASSISTANT PRESS OPERATOR — The Shawnee (Okla.) News-Star is looking for an assistant press operator with a solid understanding of printing operations, with at least 2 years of experience. Hourly pay plus full benefits and 401K. Pay based on experience. Email resumes to kent.bush@news-star.com or call 405-214-3921 for more information. (2-4)

DIGITAL MEDIA

Great opportunity. Established Central America online daily seeks new owner-publisher. Info: manager@crbusiness.biz (2-13)

For much less than you think, you can take charge of your online future. Let The Hays Daily News' Pixel Power Haus take your newspaper to the next level, whether you are considering your first website or looking to retool your existing one. Call Patrick Lowry at (785) 628-1081 to hear how we can help. Designed by a newspaper, for newspapers.

Tired of not being able to update your website? Do you hate the design, but have no one on staff who can alter it? Have your eyes widened in shock when hearing what a new website might cost? Relax ... The Hays Daily News' Pixel Power Haus is your solution. Call Patrick Lowry at (785) 628-1081 to hear how we can help. Designed by a newspaper, for newspapers.

MISCELLANEOUS

WANTED — Muller Martini 227 inserter hoppers, turning station, 310/20 stacker parts/equipment, or compatibles from inserting equipment or mailing machine. Call James at (620) 792-1211.

FOR SALE — Hamada 800 DX w/spray unit, electrostatic unit, 3M dampening sleeves; LOG Etronics Film Processor Model #LL2218, 196-264 volts, single phase, 15 amps; Brown Ultra-lite 1500 plate burner; 2 Nu-Arc light tables; 1950 Anniversary Edition Heidelberg Windmill press, very good condition. Nor'west Press, Goodland, Kansas. Call 785-899-2338.

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(for questions on cameras in the courtroom and other issues involving the court system in Kansas)

There are problems, but we're making progress

Sometimes it seems like we take one step forward with open government, only to take two steps backward.

We get a shield law for reporters; then, we have courts backpedal on access to documents.

We get a new probable cause affidavits law; then, we run into judges who simply don't want to be bothered with a new procedure.

We fight hard for a new law after the Lawrence Journal-World wins a lawsuit to open to the public "any" employment-related agreement; then 10 years later, we must join the Topeka Capital-Journal in a Kansas Open Records Act request for a settlement agreement reached with a former staff member of the Kansas Corporation Commission.



Doug Anstaett

Such agreements became open records when the Kansas Legislature passed the "Lew Perkins Provision" way back in 2005.

Yet, lo and behold, we still have public agencies who think they can make deals with former employees and enforce confidentiality clauses in those agreements.

Mike Merriam, KPA's attorney, once joked that he put his children through college fighting and winning lawsuits with such clauses.

But public officials either ignorant of the law or thumbing their noses at it continue to try to hide behind these agreements.

What's at work here?

Are public officials becoming more disrespectful of the law?

Are they just uninformed?

Or is it more sinister?

I think all of those are possible answers, depending upon the scenario.

After the new probable cause affidavits law went into effect in 2014, one southeast Kansas judge said it was a "terrible law," insinuating he likely wouldn't adhere to it except in rare circumstances.

Even so, I'm here to report there was a breath of fresh air recently.

At the Kansas Spring Judges Conference in Overland Park last

month, media representatives participated in two panel discussions. One focused on the probable cause affidavits issue; the other looked at free press/fair trial issues.

We must have had the cream of the crop at that meeting, because most judges (at least those who spoke up) were aware of the new PCA law, thought it was workable and had developed procedures to implement it with as

few hiccups as possible.

No, it's not the end of the world.

No, our system of justice is not going to explode.

Frankly, we weren't sure what to expect at the conference, but those of us from the media were pleasantly surprised.

Sure, there are still going to be times when judges will rule to seal records. We know that.

But we were encouraged that judges who had tried to comply with the law had achieved

that goal with only a few issues.

We did come away with one admonition for our newspaper reporters and publishers:

We can no longer just sit back and accept arbitrary decisions that seal court documents, close meetings or close records.

When we don't object, those erroneous decisions stand.

When we leave with our tail between our legs, public and court officials are encouraged to do the same thing next time.

So speak up ... loudly! And tell them we're not going to take it any more.

Doug Anstaett is executive director of the Kansas Press Association.

Yet, lo and behold, we still have public agencies who think they can make deals with former employees and enforce confidentiality clauses in those agreements.

Help us identify those in the picture on Page 1

It's a blast from the past.

The picture on Page 1 of today's Kansas Publisher includes several members who are now in the Kansas Newspaper Hall of Fame, several past presidents, a number of former publishers and some who are still actively practicing the newspaper craft in Kansas.

Can you help us identify anyone?

Please send an e-mail to danstaett@kspress.com if you find someone you know — and we'll try to put a name with every face in the picture.

"I think this picture was taken at the Lawrence Holiday Inn," said Doug Anstaett, executive director of the Kansas Press Association. "That pool in the background looks familiar."

"Other than that, the year it might have been escapes me."

Since former KPA executive director David Furnas is in the picture (front row right), it had to be before he left KPA in about 1999 or 2000.

Here is a partial list of those we've

been able to identify, in no particular order: Tom Eblen, Paul Stevens, Murrel Bland, Joe Relph, Kurt Gaston, Les Anderson, Ned Valentine, Kurt Kessinger, Howard Kessinger, Webster Hawkins, Schmitt Hawkin, Tom Throne, Bud Bruce, Marcella Bruce, Bill Meyer, Emerson Lynn, Nancy Anderson, Doug

Anstaett, Dick Clasen, Gerald Hay, Clarke Davis, Carter Zerbe, Lolita Zerbe, Tom Bell, Bruce Buchanan, Jim Logback, David Seaton, David Furnas, Gary Dickson, Diane Boyd, Bob Boyd, Mike Kautsch, Larry Dunn, Paul Jones, Anne Charles, Dale Worley, Vivien Sadowski, Tonda Rush and Bob Latta.

JUNE KDAN, KCAN WINNERS

The following newspapers sold either direct placement, Kansas Display Ad Network, Kansas Classified Ad Network or out-of-state network ads in June 2015.

Remember, if you sell a KDAN or KCAN, which run in almost 150 Kansas newspapers, you keep half the money. Sell one outside of Kansas (SDAN or SCAN) and you get to keep half the commission allowed to KPA.

Make an ad placement into another newspaper and share the KPA commission.

Ask advertisers: "How would you like for your classified ad to appear in 140 additional newspapers for just \$300 more?"

- KDAN — Anderson County Review, two ads sold for a \$1,650 profit; Hays Daily News, one ad sold for \$400 profit.
- KCAN — GateHouse Media, 11 ads sold for a profit of \$1,842.
- SDAN — Anderson County Review, two ads sold for \$375 profit.
- Advertising Placement — Hays Daily News, profit of \$780.

SENATE BILL No. 306

By Senator Baumgardner

5-14

1 AN ACT concerning the open records act; relating to definitions; public
2 agency and public record; amending K.S.A. 2014 Supp. 45-217 and
3 repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2014 Supp. 45-217 is hereby amended to read as
7 follows: 45-217. As used in the open records act, unless the context
8 otherwise requires:

9 (a) "Business day" means any day other than a Saturday, Sunday or
10 day designated as a holiday by the congress of the United States, by the
11 legislature or governor of this state or by the respective political
12 subdivision of this state.

13 (b) "Clearly unwarranted invasion of personal privacy" means
14 revealing information that would be highly offensive to a reasonable
15 person, including information that may pose a risk to a person or property
16 and is not of legitimate concern to the public.

17 (c) "Criminal investigation records" means records of an
18 investigatory agency or criminal justice agency as defined by K.S.A. 22-
19 4701, and amendments thereto, compiled in the process of preventing,
20 detecting or investigating violations of criminal law, but does not include
21 police blotter entries, court records, rosters of inmates of jails or other
22 correctional or detention facilities or records pertaining to violations of
23 any traffic law other than vehicular homicide as defined by K.S.A. 21-
24 3405, prior to its repeal, or K.S.A. 2014 Supp. 21-5406, and amendments
25 thereto.

26 (d) "Custodian" means the official custodian or any person designated
27 by the official custodian to carry out the duties of custodian of this act.

28 (e) "Official custodian" means any officer or employee of a public
29 agency who is responsible for the maintenance of public records,
30 regardless of whether such records are in the officer's or employee's actual
31 personal custody and control.

32 (f) (1) "Public agency" means the state or any political or taxing
33 subdivision of the state or any office, ~~office~~, agency or instrumentality
34 thereof, or any other entity receiving or expending and supported in whole
35 or in part by the public funds appropriated by the state or by public funds
36 of any political or taxing subdivision of the state.

1 (2) "Public agency" shall not include:
 2 (A) any entity solely by reason of payment from public funds for
 3 property, goods or services of such entity; ~~(B) any municipal judge, judge~~
 4 ~~of the district court, judge of the court of appeals or justice of the supreme~~
 5 ~~court; or (C) any officer or employee of the state or political or taxing~~
 6 ~~subdivision of the state if the state or political or taxing subdivision does~~
 7 ~~not provide the officer or employee with an office which is open to the~~
 8 ~~public at least 35 hours a week.~~

9 (g) (1) "Public record" means any recorded information, regardless of
 10 form ~~or~~, characteristics *or location*, which is made, maintained or kept by
 11 or is in the possession of:

12 (A) Any public agency including, but not limited to, an agreement in
 13 settlement of litigation involving the Kansas public employees retirement
 14 system and the investment of moneys of the fund; *or*

15 (B) *any officer or employee of a public agency pursuant to the*
 16 *officer's or employee's official duties and which is related to the functions,*
 17 *activities, programs or operations of the public agency.*

18 (2) "Public record" shall not include:
 19 (A) Records which are owned by a private person or entity and are
 20 not related to functions, activities, programs or operations funded by
 21 public funds ~~or~~;

22 (B) records which are made, maintained or kept by an individual who
 23 is a member of the legislature or of the governing body of any political or
 24 taxing subdivision of the state.;

25 (C) *records of any municipal judge, judge of the district court, judge*
 26 *of the court of appeals or justice of the supreme court;*

27 (D) *records of any officer or employee of the state or political or*
 28 *taxing subdivision of the state if the state or political or taxing subdivision*
 29 *does not provide the officer or employee with an office which is open to*
 30 *the public at least 35 hours a week; or*

31 ~~(3)(E) "Public record" shall not include~~ records of employers related
 32 to the employer's individually identifiable contributions made on behalf of
 33 employees for workers compensation, social security, unemployment
 34 insurance or retirement. The provisions of this subsection shall not apply
 35 to records of employers of lump-sum payments for contributions as
 36 described in this subsection paid for any group, division or section of an
 37 agency.

38 (h) "Undercover agent" means an employee of a public agency
 39 responsible for criminal law enforcement who is engaged in the detection
 40 or investigation of violations of criminal law in a capacity where such
 41 employee's identity or employment by the public agency is secret.

42 Sec. 2. K.S.A. 2014 Supp. 45-217 is hereby repealed.
 43 Sec. 3. This act shall take effect and be in force from and after its

- 1 publication in the statute book.