

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Mark Parkinson at 9:00 a.m. on March 8, 1994, in Room 531-N of the Capitol.

All members were present except: Senators Ranson and Downey

Committee staff present: Michael Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee:

Representative Richard Alldritt  
Representative Fred Gatlin

Others attending: See attached list

HB 2434--Concerning official newspapers

Ms. Kiernan explained that the bill amends the statute that outlines the requirements to designate the official county newspaper. The key amendment is on page four of the bill which changes the time the newspaper must have been published from five years to one year. She also informed the committee that clean up amendments had been made on the House floor.

Representative Richard Alldritt testified in support of HB 2434. (See Attachment 1) He also distributed copies of a letter from Kevin Noland, publisher of "The Gyp Hill Premiere", in support of the bill. (See Attachment 2)

Representative Fred Gatlin followed with further testimony in support of the bill. He began by passing out copies of a letter from Rosalie Ross, "Rawlins County Square Deal," in support of the bill. (See Attachment 3) Rep. Gatlin related to the committee a situation which occurred in his hometown of Atwood. The local paper was sold to an out-of-town publisher. As a result, the press was moved to another location, and the intent was to move most of the publication. The newspaper staff rebelled and chose to start another newspaper. The people who started it were hometown people, and the paper quickly became the dominant choice. The old paper is no longer in existence. The new paper needs the change in the requirement from five years to one year to allow it to become the official county newspaper as it is the only county newspaper. Rep. Gatlin also noted that a serious amount of money is involved insofar as the financial success of this newspaper.

With regard to Section 1 on page three of the bill concerning cities, Ms. Kiernan explained that this applies to cities of the first class and keeps city law non-uniform. Cities can home rule out of the five year requirement.

In regard to the clean up language, Ms. Kiernan said the bill does not require that the county newspaper be printed in the county, but it must be published there. Rep. Gatlin explained further that obsolete language was stricken and that many newspapers at present are not printed in their county. This clean up language does not affect the substance of the bill.

The Chairman said the bill would affect large, urban counties in some instances where a paper is delivered free and, therefore, would not meet the statutory requirement for paid circulation. To correct this problem, he suggested that perhaps the bill could be amended to make it applicable to counties with a population under 10,000. Mr. Heim informed the committee that the House discussed this possibility and decided that home rule should be applied statewide for counties or not at all, and it did not want counties to have home rule.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT, Room 531-N Statehouse, at 9:00 a.m. on March 8, 1994.

The Chairman asked staff to work on language for the criteria for legitimate, free newspapers to become the official county newspaper. With this, the hearing on HB 2434 was concluded.

The meeting was adjourned at 9:25 a.m.

The next meeting is scheduled for March 10, 1994.

Date: March 8, 1994

## GUEST REGISTER

**SENATE  
LOCAL GOVERNMENT**

NAME	ORGANIZATION	ADDRESS
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ORGANIZATION	ADDRESS
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HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: AGRICULTURE  
ENERGY & NATURAL RESOURCES  
LOCAL GOVERNMENT

March 8, 1994

TO: SENATE COMMITTEE ON LOCAL GOVERNMENT  
FROM: REPRESENTATIVE RICHARD ALLDRITT  
RE: HB 2434 OFFICIAL COUNTY NEWSPAPER

MR CHAIRMAN AND MEMBERS OF THE COMMITTEE, I thank you for this opportunity to appear today to support HB 2434.

1 year or 5 years?  
That is the question.

The law today requires a newspaper to have been in business for 5 years before that newspaper may be designated the "official county newspaper" eligible to publish the countys' business.

To be designated "the official city newspaper" eligible to publish a citys' business, a newspaper need only publish for 1 year.....

HB 2434 would change the published for 5 years requirement to published for 1 year.

Currently across the state, home town and home grown newspapers are being bought by out-of-state publishing concerns.

Almost overnight the hometown newspaper is transformed, a paper and ink Jekyll and Hyde, no longer recognized by the local people.

It's no longer theirs - no longer a reflection of their lives, their families, their community. The history of the town has come to an end.

So the town gives birth to a new newspaper to find what they have lost, and the whole community gives their support to that paper.

It's no easy task to start any new business and certainly no easy task to start a newspaper, to generate enough revenue to guarantee survival.

The current law is an unnecessary obstacle, placing an economic burden on a new business and placing a dam on a town's river of history.

Thank you.

Senate Local Gov't  
3-8-94  
Attachment 1

# The Gyp Hill PREMIERE

P.O. Box 127 - 110 N. Main  
Medicine Lodge, KS 67104  
(316) 886-5654  
Toll Free 1-800-246-7525

Monday, February 7, 1994

Dear Kansas Rep. Richard Alldritt

Several weeks ago I was privileged to appear before a local government committee to testify on behalf of House Bill 2434. I have waited three years for this opportunity to show my favor for such legislation.

My wife Ronda and I own a small weekly newspaper called The Gyp Hill Premiere in Medicine Lodge, KS. We started the newspaper after the sale of the community's newspaper, The Barber County Index, to an out of state corporation. What makes this story even more ironic is that my family owned The Barber County Index for nearly 25 years.

My family has been involved in several Kansas newspapers, owning papers in Logan, Kinsley, Mullinville and Medicine Lodge. My Grandfather Bill, my Uncle Gary and my father all took their turns at running the family business. In 1972 my dad, Ron Noland, moved my family here from Kinsley to take over the business from my uncle who moved to California, where he purchased his own newspaper and ran it for several years. My uncle is still in the newspaper business operating a small newspaper in Montana, The Seeley Swan Pathfinder. My father retired from the newspaper business after he sold The Barber County Index to a company in Destin Florida called Hometown Communications.

I had worked for my family's newspaper since I was about seven years old. At the time of the sale, I was still working part time and attending college. The new owners requested that I stay on as general manager of the newspaper and that my responsibilities would not change. Two days after accepting the position. I was asked to let go several long time employees of the paper. Then they dismantled the printing press and moved it out of our community. The newspaper was scaled back from 16 pages to an average of 8 pages per week.

The community soon began expressing their concern about the new changes that were taking place with their local paper. I did everything I could to convince the publisher that the changes he was requiring us to make would damage the newspaper's good standing in the community. It didn't take long before the rest of the staff quit and were replaced by people from other newspapers owned by Hometown Communications.

I was the last original employee to resign. At my resignation my intent was to start a commercial printing business in the community since there wasn't one there anymore. It was in a two week period that several business owners and prominent people in our community asked me and my wife, Ronda, to start a competing newspaper in Medicine Lodge. My initial reaction to such a request was that it was absurd. Medicine Lodge's merchants by themselves could not produce enough revenues to support two newspapers. However, these people were persistent with their request and even a bank in the community came to us with a proposal to lend us the money to help us get the new newspaper started.

Even more ironic was the fact that the area chamber of commerce had come up with the name for the town's newest newspaper, The Gyp Hill Premiere, named after the gypsum hills of Barber County. We said yes to the community and on July 15, 1991 we produced the first edition of The Gyp Hill Premiere from a small shop in an alley off of the main business district of our town. Two of the remaining employees at the Barber County Index joined us and one is still with us today!

Many things have changed since then. An attorney in town offered us a very nice building to rent at a very reasonable price on Main Street. Our circulation, 500 at the beginning is now reaching 1500. The Barber County Index is still in town, but The Gyp Hill Premiere's circulation is nearly 350 readers more according to postal reports. And as I said earlier in this letter "Medicine Lodge could not produce enough revenues to support two newspapers." Well, it doesn't. Nearly all of the merchants have joined our advertising family. Our competitor relies nearly entirely on legal notices and out of town advertisements. I am proud to say that The Gyp Hill Premiere does not have to leave the community to solicit advertising for support of it's publication.

Senate Local Gov't  
3-8-94 Attachment 2

As I testified before the local government committee on HB 2434, problems arose in our community when the county commissioners of Barber County appointed us The Official News of Record For Barber County. The appointment came as a surprise because we knew the law concerning legals and knew that we had to wait 5 years. The commissioners were faced with a small problem. The Barber County Index immediately pointed out that we did not meet the statutes and could not possibly be the Official News of Record for Barber County. To rectify this problem, the commissioners kept us and appointed another in county owned publication, The Kiowa News, as another Official News Of Record. We both have published the county's legals in our papers.

A similar situation arose when The City of Medicine Lodge appointed us as The Official Newspaper of The City of Medicine Lodge. Again, The Barber County Index opposed this. An opinion from the State Attorney General's Office convinced the city to keep their appointment with us. U.S.D. # 254 appointed us as their Official Publication as well. So you see that we have proven ourselves in our community.

Such legislation as HB 2434 has raised concern with some who ask "If this law is changed, wouldn't it just open the door for anyone to start competing newspapers, maybe even one against me?" My answer to this is, if anyone feels that my newspaper is not doing a proper job of informing the community and representing them, then they had better start a competing newspaper against me and do the job that I am not. Competition is what drives businesses to constantly be better. It keeps us on our toes. Even The Barber County Index has become a better paper since our paper forced it out of a slumber. Thankfully, the community knows that we are the local paper and therefore they have given us their support.

A community newspaper is something that represents the community. It is owned by the community and run by the community. I believe that the current restrictions newspapers under five years old face are actually depriving its readers the right to know what is happening in our government. My newspaper has the greatest circulation in the county, yet I can't publish the information that is vital to every other newspaper meeting these current requirements. That may seem strange, but that is the way that it is.

I wish to go on record as being strongly in favor of such legislation as HB 2434 proposes. It not only guarantees newspapers the right to inform their readers, but allows fair competition between newspapers. Please work for the passage of HB 2434. Our newspaper thanks you for your time and consideration.

Sincerely,

Kevin Noland, Publisher  
The Gyp Hill Premiere

**Rawlins County Square Deal**  
**408 State St**  
**Atwood, Kansas**

Dear Senators,

I am writing to ask your support of legislation which proposes that county commissioners be able to choose which newspaper best serves the needs of the voters after that newspaper satisfies all the requirements stipulated by the U.S. Postal Service for a second class permit and has been published for one year.

Our newspaper has been designated as the legal publication for Rawlins County by all of the governing entities. We meet all the criteria except the stipulation of 5 years of publication. We ask your passage of the measure before you as a clarification of our position.

We will accept the challenge of a future newspaper coming into our county on the American premise that the choice of a newspaper or any other business will be made by the consumer and the advertiser.

I encourage you to vote for this bill which leaves the final decision of designating the official paper in the hands of local governing bodies and assumes that their choice can be made when a newspaper has met the standards and has been published for one year.

Thank you for your consideration of this issue.

Sincerely,

Rosalie Ross  
Publisher.

*Senate Local Gov't*  
*3-8-94*  
*Attachment 3*