



MNA Bulletin

October 23, 2012 - Issue 40

PLAN NOW TO INCLUDE THE MNA ANNUAL CONVENTION IN YOUR BUDGET

MNA Convention dates are: January 24 & 25, 2013

CANDIDATES' RESPONSES TO MNA'S ELECTION QUESTIONNAIRES AVAILABLE

Responses from candidates for Federal office and judges are posted to MNA's website.

Check the MNA website frequently for new responses that will be added as we receive them.

Sample questions are also available for your paper to use for Legislative races.

APPEALS COURT RULES FOR NEWSPAPER: JCI MUST COMPLY WITH TIMBERJAY INFO REQUEST

Court reverses administrative law judge who had dismissed the case; decision certifies that government contracts and sub-contracts are public

Reprinted with permission from the Timberjay Newspapers

The Minnesota Court of Appeals has handed the Timberjay Newspapers a major legal victory in its quest to get access to information from Johnson Controls Inc. pertaining to the \$78.8 million school construction project the company has been overseeing for the St. Louis County School District.

In a ruling issued Tuesday, October 9, the court found that a subcontract between JCI and the architectural firm it retained for the school project was subject to request under the Minnesota Government Data Practices Act. For more than a year and a half, JCI has refused to hand over its contract with Duluth-based Architectural Resources, claiming that the company was not subject to the state's public information laws because its work for the school district did not constitute a "governmental function."

But the three-judge panel, in a unanimous decision, determined that when the school district hired JCI to design and construct new and renovated schools, the company was performing a governmental function—and that under state law, that means the company is subject to information requests related to that project.

“It’s a home run,” said attorney Mark Anfinson, who represents the Timberjay. “This is a critically important issue because of the enormity of government contracting, particularly in the context of large public construction projects,” said Anfinson. “A decision the other way would have made it very difficult for the public to gain access to the details of such projects.”

“This is about as clear cut a ruling as you can find,” said Marshall Helmberger, publisher of the Timberjay. “It says government contracts and subcontracts are open to the public. That’s exactly what we were hoping to see.”

Helmberger said the Timberjay originally requested JCI’s architectural subcontract to better understand the enormous school restructuring project. But problems with the architectural work, which resulted in additional charges to the school district, have heightened the need for more public scrutiny of the contracts.

“There were mistakes that cost the district money and we need to see whether there are any avenues for the district and taxpayers to recoup some of those dollars,” said Helmberger, who noted that JCI officials had previously told the school board that the contract with Architectural Resources would make that difficult.

“There has to be some accountability here and we would hope the school board would start to wake up and demand it,” he said.

In addition, energy savings promised by JCI have fallen short of projections. Some of that is likely due to change orders, which resulted in less energy-efficient materials as replacements, Helmberger said. It could result in additional costs for the district in the long term. Contract language may give the district some leverage in seeking claims for damages against JCI.

The ruling reinstates, for the second time, the Timberjay’s claim against JCI, which had been dismissed in January by Administrative Law Judge Eric Lipman, of the Office of Administrative Hearings. The Timberjay had filed a complaint at the OAH in July 2011 after JCI refused to comply with an advisory opinion from the Minnesota Commissioner of Administration, who had ruled in favor of the Timberjay.

Judge Lipman dismissed the Timberjay’s complaint immediately, but the OAH’s Chief Judge Raymond Krause reinstated the case after determining that Lipman had committed material error. That set up an evidentiary hearing last January, at which Lipman again dismissed the complaint after a day of legal wrangling.

Tuesday’s ruling by the Court of Appeals sends the case back to Lipman for further proceedings. The Timberjay will now be seeking an immediate order from the judge requiring that JCI hand over the requested documents and pay the newspaper’s legal fees.

Legal precedent

According to Anfinson, the case sets an important legal precedent that will reverberate with media and public access advocates around the state. The case, said Anfinson, further clarifies the definition of “governmental function,” which is important in determining when private contractors, such as JCI, are subject to public information laws. Had the court ruled otherwise, said Anfinson, access to information about major public construction projects would have been sharply limited.

Helmberger agreed. “It’s now the law of the land here in Minnesota.”

In arguing its case, the Timberjay relied heavily on a similar case, known as WDSI v. Steele County, decided by the Minnesota Court of Appeals in 2003. In that case, the court had found that an architectural firm hired by Steele County was engaged in a governmental function when it was hired to build a county jail. Anfinson had argued in legal briefs and in oral arguments before the Court of Appeals in July that JCI, like the architectural firm in the WDSI case, was clearly engaged in a governmental function when it was hired by the St. Louis County School Board to build new schools.

JCI attorney David Lillehaug had argued that the WDSI case was different from the current one because the architect in Steele County had been given decision-making authority that was not granted to JCI. Lillehaug also argued that JCI was not bound by the law because the contract with the school district (a contract that JCI had prepared) had failed to include required notice that the company would be subject to the state’s public information laws.

But the three-judge panel rejected each of JCI’s arguments in turn, stating unequivocally that the construction of a public school constitutes a governmental function. Further, the judges found that failing to include required notice that a contract is subject to public information laws does not excuse a company from abiding by the law.

JCI has 30 days to appeal the decision to the state’s Supreme Court. JCI issued a statement saying it was reviewing the decision and its options. Attorney Lillehaug has previously stated that the company would appeal the case as far as it could go.

Helmberger said he is confident that a challenge of the ruling would be defeated.

“This ruling is so clear cut and unequivocal that I’d be very surprised if the Supreme Court changed a thing,” he said.

While our victory at the Court of Appeals was gratifying, it was hardly a surprise. The decision adds much-needed clarity to the scope of the state’s public information law, but it was completely in keeping with previous court decisions, the statutes themselves, and previous interpretations from the state’s Commissioner of Administration.

It was JCI’s legal arguments that were truly surprising. After all, to suggest that building public schools does not constitute a “governmental function,” really begs credulity. That any judge in Minnesota found JCI’s argument compelling is the only mystery here.

This week's decision should put that dispute to an end. While JCI could still appeal the case to the Supreme Court, the high court isn't going to reverse this week's ruling even if they decide to hear the case, which I doubt.

Even so, it could still be years before we actually get a look at the contracts that JCI seems so eager to keep secret. As we report this week, this case will eventually go back to the Office of Administrative Hearings, where the same judge, who has now twice wrongly-dismissed it, will preside over another round of proceedings.

We'll be seeking an order requiring JCI to produce the contract we requested, as well as pay our attorney's fees. Neither of these requests will be optional for the judge, whose hands are now essentially tied by the court's ruling and state law.

JCI and its subcontractor, Architectural Resources, are then likely to argue that much, if not most, of the contract should be redacted to protect "trade secrets."

Courts in Minnesota have been very reluctant to allow companies to evade public information laws by claiming trade secrets. But as we've seen repeatedly, the law and legal precedent don't necessarily carry much weight with JCI, or at the OAH, where the quality of legal analysis has been inconsistent. This is the same body that dismissed the city of Tower's claim against the St. Louis County School District on campaign finance disclosure, only to see the case reinstated by the Court of Appeals, a view later affirmed by the state's Supreme Court.

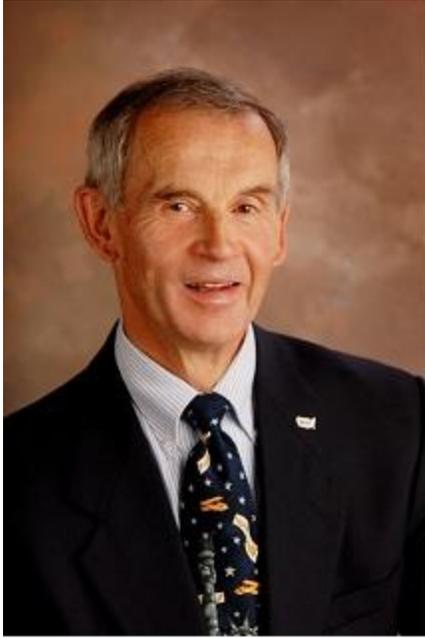
And it's the same body that had even earlier dismissed a complaint against the St. Louis County School District's teachers' union after the union ran ads in area newspapers ahead of the school district's 2009 bond referendum urging voters to "Vote Yes for Lower Taxes!"

Even though a yes vote would have raised everyone's taxes (and the teachers acknowledged as much in court), the OAH judges determined the ad didn't meet the definition of "false campaigning." If that's the case, it's hard to imagine what would.

Regardless of how the OAH judge rules on the trade secret question in our case, we're potentially headed for more appeals. Ultimately, I don't believe that JCI or its attorneys think they will win this case. To them, it's more a question of using the judicial process to delay compliance with the law for as long as possible. They probably hope we'll all just get tired and quit, even though you'd think they would know better by now.

While JCI may still argue trade secrets protection to keep its subcontract under wraps, we're going to be filing a new information request soon. This time, we're going to be seeking the calculations the company used to determine the supposed energy savings the school district would achieve as a result of the district's restructuring plan.

COLORADO PUBLISHER, BARANCZYK, NAMED NNA PRESIDENT



Merle Baranczyk, publisher of the Salida (CO) Mountain Mail, became president of the National Newspaper Association, during the association's 126th annual convention and trade show Oct. 6, 2012.

Baranczyk succeeds Reed Anfinson, publisher of the Swift County Monitor-News in Benson, MN. Baranczyk had been vice president for the association. Anfinson becomes immediate past president.

Robert Williams Jr., chair and publisher of SouthFire Newspaper Group in Blackshear, GA, was elected as vice president. He had been treasurer.

Elected as treasurer was John Edgecombe Jr., publisher of the Nebraska Signal in Geneva, NE. He had been director for Region 7, (Iowa, Missouri, Nebraska and Kansas).

During his acceptance speech at the association's business meeting, Baranczyk said he wanted to make three points: "(That) community newspapers remain a vital force across America. NNA continues to fight on behalf of community newspapers. And, what we as newspaper editors, publishers and supporters need to do."

Even after the 2008 collapse of some of the largest financial institutions set large metro papers back on their heels, community papers remained strong.

"Across this country, citizens depend on their community newspapers for the news of their neighbors, their kids, schools, their communities, their local government," Baranczyk said. "In the vast majority of small cities and town, newspapers—in all their forms: print, e-editions, html, utilizing audio and video—are the only source of news.

"And if readers did not have newspapers, democracy would falter."

He added that, "NNA newspapers are moving ahead, finding ways to better serve their communities with a variety of programs and ideas, through print, electronic means and combinations of the two."

In order for NNA to continue to represent community newspapers in Washington, Baranczyk said it is imperative to build the association's membership ranks. He has set a goal of increasing membership by 10 percent during his term in office.

"A broader base gives NNA greater strength through numbers before federal government agencies, in the national media, and a stronger presence on Capitol Hill," he said. An initiative started two years ago—We Believe In Newspapers—has helped increase membership by 100 newspapers, he noted.

“But we need to do more here,” he said. “To ensure that NNA continues its vital role, to continue as a force in our nation’s capitol and around the country, we need to add to our base.”

To that end, Baranczyk asked all members to help change the perception about newspapers and their future.

“Back home, we need to continually affirm newspapers’ roles in the communities we serve. We can do this in a number of ways, on our editorial and opinion pages, through columns, advertising and self-promotion, occasional news stories, and through supporting community events as newspapers have long been doing.”

Elected to his first three-year term is David Fisher, president and publisher of Fisher Publishing in Danville, AR, as Region 8 director (Arkansas, Louisiana, Oklahoma and Texas).

Elected to their second three-year terms were Carl Aiello, president of Times Community Publications of the Hudson Valley in Newburgh, NY, as Region 2 director (Delaware, Maryland, New Jersey, Pennsylvania, New York and the District of Columbia); Jeffrey “Jeff” Farren, president and publisher of Kendall County Record Newspapers Inc. in Yorkville, IL, as Region 5 director (Indiana, Michigan, Illinois and Ohio); Steve Andrist, president of Journal Publishing Inc., publisher of The Journal in Crosby, ND, and The Tioga (ND) Tribune, as Region 6 director (Minnesota, North Dakota, South Dakota and Wisconsin).

Continuing on the board are Pat Desmond, publisher the Milton (MA) Times, as Region 1 director (Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire and Vermont); Chip Hutcheson, publisher of the Princeton (KY) Times Leader as Region 3 director (Kentucky, North Carolina, Tennessee, Virginia and West Virginia); William “Bill” Jacobs, publisher of The Daily Leader in Brookhaven, MS, as Region 4 director (Alabama, Florida, Georgia, Mississippi, South Carolina and Puerto Rico); Tom Mullen with the Phillipsburg (MT) Mail as Region 9 director (Alaska, Idaho, Montana, Oregon and Washington); David Puddu, vice president/chief operating officer for Number Nine Media Inc., publishers of the Valencia County News-Bulletin, the El Defensor Chieftain and the Mountain View Telegraph in Belen, NM, as Region 10 director (Colorado, New Mexico, Utah, Wyoming); and Sharon DiMauro, publisher of the Fort Bragg (CA) Advocate-News and the Mendocino (CA) Beacon, as Region 11 director (Arizona, California, Hawaii, Nevada, Guam).

Appointed to the board were Jeff Fishman, publisher of The Tullahoma (TN) News; Deb McCaslin, publisher of The Custer County Chief in Broken Bow, NE, as at-large directors.

Continuing on the board were Mark W.C. Stodder, vice president of newspapers, Dolan Media Co. in Minneapolis, MN, as the representative for American Court and Commercial Newspapers; Steve Haynes, publisher of the Oberlin (KS) Herald and president of Nor’West Newspapers, as an at-large director; David Bordewyk, executive director for the South Dakota Press Association, representing the Newspaper Association Managers; Michael Bush, president and chief executive officer for Heartland Publications LLC in Clinton, CT, as an at-large director; and Max Heath, postal chair and consultant to Landmark Community Newspapers and Publishing Group of America, as an honorary board member.

SAN ANTONIO CHOSEN AS SITE FOR 2014 NNA CONVENTION

The National Newspaper Association is pleased to announce San Antonio, TX as the destination for its 128th Annual Convention & Trade Show, Oct. 2-5, 2014.

Convention headquarters will be the Grand Hyatt San Antonio.

“San Antonio is one of our nation’s most attractive cities and our association, representing communities from across America, will enjoy being in the midst of such a vibrant setting,” said Robert M. Williams, Jr. NNA vice president. “We’re especially pleased to be coming back to Texas where NNA has so many strong, supportive and great community newspaper members.”

The Grand Hyatt is situated in the heart of the action on the banks of the legendary Riverwalk. Nearby attractions include HennisFair Park, IMAX Theater, Shops at La Villita Arts Village, Rivercenter Mall, The Alamo, the Alamodome, Market Square, Arizona Zoo and restaurants galore. The hotel is fifteen minutes away from San Antonio International Airport which offers non-stops from across the United States. NNA attendees will enjoy complimentary internet in guest rooms and reduced self-parking fees.

Established in 1885, the National Newspaper Association is the voice of America’s community newspapers and the largest newspaper association in the country. The nation’s community papers inform, educate and entertain nearly 150 million readers every week.

VETERANS DAY, FLAG FEATURES AVAILABLE FOR NIE

Veterans Day is Nov. 11 and this year will be commemorated on Monday, Nov. 12. The Missouri Press Association is offering a feature they created on the history of Veterans Day, including a timeline of how the commemoration moved from a one-time Armistice Day remembrance in 1919 to an annual holiday recognized across our nation.

In 2011, Missouri Press produced a feature on flag etiquette and released it for Veterans Day. More than 250 newspapers nationwide downloaded the Flag Etiquette feature. This feature is still available as well.

Both the Flag Etiquette feature and the new Veterans Day feature were created in partnership with The Missouri Bar association. Newspapers may download the features at www.mo-nie.com. For the Veterans Day feature use download code: veterans. For the Flag Etiquette feature, use the download code: usflag.

NAU: ONCE IS NOT ENOUGH!

Did you sell an ad for your newspaper, today?

Did you sell an ad for your newspaper’s web site, today?

Did you sell an ad for your newspaper’s upcoming special section, today? ([Read more...](#))

SEND A COPY OF YOUR STATEMENT OF OWNERSHIP TO MNA.

Please remember to mail or fax or email a copy of your Statement of Ownership once it has been published in your newspaper.

All circulation figures that MNA uses for advertising, directory information and contest classification purposes must come from a published Statement of Ownership.

If we do not receive a new Statement of Ownership for your newspaper, we will use the circulation figures from the most recent one we have for your paper, which may be quite old, or we may have to indicate that your paper’s circulation is “not verified.”

Please fax your Statement of Ownership to 612-342-2958 or 612-342-2064 or email member@mna.org

MINNESOTA HIGH SCHOOL LEAGUE CREDENTIAL DEADLINES

A 2012-2013 Media Policy Manual will be mailed from MSHSL to each member newspaper later this month. Please review the manual for rules and regulations for news media coverage of state tournament competition conducted by the League.

BOYS’ & GIRLS’ SOCCER

**SEMIFINALS &
FINALS.....
SAT. OCT. 27**

**BOYS’ & GIRLS’ CROSS COUNTRY
RUNNING..... MON. OCT. 29**

**GIRLS’
VOLLEYBALL.....
..... MON. NOV. 5**

**ADAPTED
SOCCER.....
..... MON. NOV. 12**

FOOTBALL

**QUARTERFINALS.....
..... MON. NOV. 5**

**SEMIFINALS.....
..... MON. NOV. 12**

² FINALS (PREP BOWL).....
MON. NOV. 19

GIRLS' SWIMMING & DIVING.....MON.
NOV. 12

² Television broadcast rights are not available for championship finals of this state tournament.

All requests for credentials must be submitted online at the League website. Contact Yvonne Walsh at the League office, 763-560-2262, ext. 486, or ywalsh@mshsl.org, or Ellen Giloy-Rajkowski, 763-560-2262, ext. 542, or ERajkowski@mshsl.org, to obtain access information. Further information can be found at www.mshsl.org.

REPORTERS COMMITTEE TO PRESENT FREE WEBINAR, “NAVIGATING FEDERAL FOIA”

Navigating the often intimidating process of filing and appealing a federal Freedom of Information Act request is the focus of the next free webinar hosted by the Reporters Committee for Freedom of the Press.

The webinar will be held Thursday, Oct. 25 at 2 p.m. (Eastern), hosted by Reporters Committee FOI Director Mark Caramanica and Jack Nelson FOI Fellow Aaron Mackey.

Caramanica and Mackey will take participants through the FOIA process, explaining how to file a request and why it may be denied. The webinar will continue with a look at the Reporters Committee’s new [Federal FOIA Appeals Guide](#), an online resource that guides journalists through the administrative appeals process. The appeals guide was funded by a grant from the Sigma Delta Chi Foundation.

“This session will help FOIA novices get started on their first requests, but experienced filers will also benefit from learning how to use the appeals guide, which is completely new,” Caramanica explained. “The guide is a fantastic resource to aid journalists in writing effective appeal letters.”

To register for the free webinar, go to <https://www4.gotomeeting.com/register/926938151>.

Previous Reporters Committee webinars on “Police, Protesters and the Press” and “Secret Courts” are archived online at www.rcfp.org/webinars.

About the Reporters Committee for Freedom of the Press

Founded in 1970, the Reporters Committee for Freedom of the Press offers free legal support to thousands of working journalists and media lawyers each year. It is a leader in the fight against persistent efforts by government officials to impede the release of public information, whether by

withholding documents or threatening reporters with jail. In addition to its 24/7 [Legal Defense Hotline](#), the Reporters Committee conducts cutting-edge legal research, publishes handbooks and guides on media law issues, files frequent friend-of-the-court legal briefs and offers challenging fellowships and internships for young lawyers and journalists. For more information, go to www.rcfp.org, or follow us on Twitter [@rcfp](#).

2013 MINNESOTA NEWSPAPER ASSOCIATION CONVENTION

SUPPORT MNA BY SPONSORING THE CONVENTION

Consider becoming a convention sponsor. We have opportunities ranging from \$100 to \$3,500. To learn more, contact David Kaplan (david@mna.org)

ADVERTISE IN THE CONVENTION BOOKLET AND THE BNC TAB

Promote your organization or business in the pocket-sized convention booklet and the keepsake booklet listing all winners of the MNA's annual Better Newspaper Contest. Prices start as low as \$175. Contact David Kaplan for more information (david@mna.org)

SILENT AUCTION ITEMS NEEDED

Support the Minnesota News Media Institute through our annual Silent Auction as part of the 146th Annual Minnesota Newspaper Association Convention by donating auction items. Past items have included hotel and resorts stays, airline tickets, gift baskets, artwork, wine, electronics, apparel, newspaper memorabilia, books, DVD sets, and much, much more.

To donate, contact David Kaplan (david@mna.org) with a description of the item you are donating and the approximate retail value.

All proceeds of the silent auction directly benefit the training programs produced by the Minnesota News Media Institute.

MNA CONVENTION TRADE SHOW

It's almost time again for the annual Trade Show as part of the 146th Annual MNA Convention. Do you know of a great company who should be taking part as a vendor? Contact David Kaplan (david@mna.org) and let us know about it.

If your new vendor agrees to exhibit at the Trade Show, you'll get 50% off your convention registration!

To reserve a trade show booth, contact David Kaplan (david@mna.org)

TOMORROW: COGItations TAKES A LOOK AT CAMERAS IN MINNESOTA COURTS

The Minnesota Supreme Court is allowing cameras in civil cases for a test that runs through June 30, 2013. The Minnesota Coalition on Government Information will host a panel to examine the experiment at its halfway point.

Minnesota news organizations hope the civil courts test will show that recording equipment does not disrupt court proceedings and can enhance the public's understanding of what goes on inside its courts. They also hope the experiment will open the door to modern coverage of criminal court proceedings in Minnesota.

CAMERAS IN THE COURT COGItations

Wednesday, Oct. 24, 11am-12:30pm in Room 10 of the State Office Building.

Panelists include:

Seventh District Assistant Chief Judge John H. Scherer of Stearns County

Ramsey County District Judge Margaret Marrinan

Emily Gurnon, courts reporter for the St. Paul Pioneer Press

Joan Gilbertson, producer for WCCO-TV

David Unze, reporter for the St. Cloud Times

Moderator: John P. Borger, MnCOGI board member and partner at Faegre Baker Daniels

MnCOGI is a coalition of individuals and organizations committed to the public's right to know. Members of the Coalition include attorneys, government employees, librarians and public citizen advocates for open government.

CONTACT: Helen Burke, MNCOGI Board Chair, mncogi@gmail.com

CAMPAIGN LITERATURE MUST INCLUDE DISCLAIMER

The 2010 Legislature once again restored the disclaimer requirement for political ads, which had been gone for several years because it was declared unconstitutional by the Court of Appeals. Indeed, over the past 10-15 years, the disclaimer mandate has been declared unconstitutional three different times, but on each occasion, the Legislature has eventually tried to restore it by enacting slightly different language.

Campaigns covered by Minnesota law: All statewide races (such as those for governor or attorney general); legislative contests; judicial elections; and those for municipal posts, such as city council, county board, and school board. Also, campaigns relating to "ballot questions." These are elections conducted by government bodies that involve issues on which the public is to express its views by voting. Examples include school bond elections and elections on constitutional amendments.

[Minn. Stat. 211B.04](#), which was the section amended by the 2010 Legislature, describes the current version of the disclaimer requirement.

(a) A person who participates in the preparation or dissemination of campaign material other than as provided in section 211B.05, subdivision 1, that does not prominently include the name and address of the person or committee causing the material to be prepared or disseminated in a disclaimer substantially in the form provided in paragraph (b) or (c) is guilty of a misdemeanor.

(b) Except in cases covered by paragraph (c), the required form of disclaimer is: “Prepared and paid for by the committee,(address)” for material prepared and paid for by a principal campaign committee, or “Prepared and paid for by the committee,(address), in support of(insert name of candidate or ballot question)” for material prepared and paid for by a person or committee other than a principal campaign committee.

(c) In the case of broadcast media, the required form of disclaimer is: “Paid for by the committee.”

(d) Campaign material that is not circulated on behalf of a particular candidate or ballot question must also include in the disclaimer either that it is “in opposition to.....(insert name of candidate or ballot question.....)”; or that “this publication is not circulated on behalf of any candidate or ballot question.”

(e) This section does not apply to objects stating only the candidate’s name and the office sought, fund-raising tickets, or personal letters that are clearly being sent by the candidate.

(f) This section does not apply to an individual or association who acts independently of any candidate, candidate’s committee, political committee, or political fund and spends only from the individual’s or association’s own resources a sum that is less than \$2,000 in the aggregate to produce or distribute campaign material that is distributed at least seven days before the election to which the campaign material relates.

(g) This section does not modify or repeal [section 200B.06](#).

Minn. Stat. 211B.05 requires that the term “paid advertisement” be included in a political ad. Indeed, this part of the law was never invalidated by the courts.

www.revisor.mn.gov/statutes/?id=211B.05

Keep in mind all newspapers may adopt individual policies that require disclaimers on all political ads.

Federal Disclaimers

There are three varieties of federal political disclaimers, depending on who places the advertisement. Virtually all federal election ad copy will already contain the disclaimer. The disclaimer must appear on any type of advertisement, including leaflets and campaign signs.

Federal law does not specify the exact disclaimer language, but here are some sample disclaimers for each of the three varieties of advertisement covered by the law. Names but not addresses are required in each of the federal disclaimers.

Federal law covers advertising for the election or defeat of a clearly identified candidate for federal office (president, vice-president and member of the U.S. House or Senate) and advertising that solicits any contribution in connection with a federal election.

1. Advertisements authorized and paid for by (a) a candidate or (b) an authorized political committee of the candidate or its agent (including solicitations for contributions):
 - a. Paid for by John Doe on his own behalf.
 - b. Paid for by the John Doe for Congress Committee.
2. Advertisements authorized by (a) the candidate or (b) the candidate's authorized committee but paid for by other persons (including solicitations):
 - a. Paid for by Pat Platt and authorized by John Doe.
 - b. Paid for by Pat Platt and authorized by the John Doe for Congress Committee.
3. Advertisements on behalf of or in opposition to a candidate but not paid for and not authorized by either a candidate or an authorized political committee of a candidate (including solicitations):
Paid for by Jane Jones and not authorized by any candidate or candidate's committee

Advertisements soliciting contributions from the general public on behalf of a political committee that is not an authorized committee of a candidate must "clearly state the full name of the person who paid for" the advertisement.

Size and Placement

Federal law does not specify the size or placement of the disclaimer, but it is typically at the beginning or the end, and in at least 8-point type.



Honor the memory of a friend or colleague

with a MEMORIAL GIFT to the Minnesota News Media Institute.



[Click Here](#) to make your donation.



IT'S TIME! MNA REINTRODUCES THE QUARTER-PAGE (QP+) DISPLAY ADVERTISING NETWORK

MNA is excited to reintroduce the Quarter-Page (QP+) Display Advertising Network. Success in other states has proven there is now an appetite for a larger space statewide saturation advertising program aimed directly at non-traditional newspaper advertisers. Sold as a "high reach/low cost multi-market turnkey advertising solution," the QP+ Network will offer unparalleled reach of Minnesota households, but with larger page presence that advertising clients who are looking to test newspaper campaigns are seeking.

To create a sense of urgency and increase demand with potential advertisers, only ONE QP+ Network ad will be available for sale per week. As with all MNA advertising networks, each participating newspaper has the option to accept or refuse an ad that is sold into the network.

Depending upon member newspaper participation interest, multiple networks may be created (eg. Dailies, Dailies + Weeklies, Statewide.) Participating newspapers will receive 20% of their general net rate, paid monthly. In addition, any participating newspaper that sells a QP+ ad into the network will keep 10% of the total sale.

The QP+ Network will provide an innovative opportunity to many new print advertising prospects, the benefit of which is an incremental new business revenue source for our member newspapers. If your newspaper is interested in being a part of this exciting new display ad network, you can find the [QP+ Agreement Form here](#).

The following newspapers originally committed to participate in the QP+ Network. Since we already have your signed agreement on file, you will be automatically enrolled in this new program. Please contact Dan at MNA – 612.278.0223 or dan@mna.org if you have any questions or for more details.

Aitkin Independent Age	Kenyon Leader
Albert Lea Tribune	Kerkhoven Banner
Alexandria Echo Press	Kimball Tri-County News
Appleton Press	Le Center Leader
Bagley – Farmer’s Independent	Le Sueur News-Herald
Barnesville Record-Review	Lewiston Journal
Baudette Northern Light	Long Prairie Leader
Belgrade Observer	Lonsdale Area News-Review
Biwabik Range Times	Mabel/Harmony News Record
Brainerd Dispatch	Madison Lake – Lake Region Times
Byron Review	Marshall Independent
Cass Lake Times	Moose Lake Star Gazette
Chatfield News	Nevis – Northwoods Press
Chokio Review	New Um Journal
Clara City Herald	Northfield News
Cook News-Herald	Olivia Renville County Register
Dassel – Cokato Enterprise Dispatch	Owatonna People’s Press
Delano Herald Journal	Parkers Prairie Independent
Dodge Center Star Herald	Paynesville Press
Duluth – Zenith City Weekly	Pequot Lakes – Lake Country Register
East Grand Forks Exponent	Pine River Journal
Elbow Lake – Grant County Herald	Plainview News
Fairmont Sentinel	Proctor Journal
Faribault Daily News	Raymond/Prinsburg – The News
Fertile Journal	Rushford – Tri-County Record
Floodwood Forum	Sebeka – Sebeka Menahga Review Messenger
Frazer-Vergas Forum	Spring Grove Herald
Glenwood – Pope County Tribune	Spring Valley Bluff County Readers
Grand Marais – Cook County News Herald	Staples World
Greenbush Tribune	St. Charles Press
Hallock – Kittson County Enterprise	St. Peter Herald

Hawley Herald
Henning Citizens Advocate
Herman-Hoffman Tribune
Hibbing Daily Tribune
Howard Lake – Herald Journal
Hutchinson Leader
Isle – Mille Lacs Messenger
Ivanhoe Times
Karlstad – North Star News

Tower News
Twin Valley Times
Ulen – Clay County Union
Wabasha County Herald
Waseca County News
Wayzata – Lakeshore Weekly News
Willmar West Central Tribune
Winona Daily News
Worthington Daily Globe

MNA STATEWIDE NETWORKS: HEALTHY MEMBER PARTICIPATION, IDEAL OPTION FOR ALL ADVERTISING CLIENTS

MNA has 343 active newspaper members, with a total circulation of 2,786,916. Of the active newspapers, only 46 do NOT participate in at least one statewide network advertising program! MNA networks provide participating members with a cost effective turn-key advertising option for their clients. Earn more revenue for your newspaper, earn more revenue for your territory, and earn personal sales bonuses also! MNA advertising networks are simple to execute and deliver proven results! For more information on how your newspaper can participate in the MDAN (Display Ad Network), MCAN (Classified Ad Network), or MINN (Interactive Newspaper Network) please contact Randy – 612.278.0225/randy@mna.org or Dan – 612.278.0223/dan@mna.org today!

ANNOUNCED: NEW NETWORK SALES BONUS AND INCENTIVE STRUCTURE

The MNA Board of Directors has approved a new sales bonus and incentive structure making it more lucrative than ever for the sales staffs of MNA member newspapers to cash in and earn big bonuses for MDAN and MCAN network sales!

New 2x2 advertisers = \$150 bonus! New 2x4 advertisers = \$300 bonus. New MCAN advertisers = \$50 bonus

PROTECT YOUR REVENUE: AVOID “DID NOT RUN’S” (DNR’s)

We continue to receive complaints from clients about incorrect ad creative running or insertion dates being missed. It’s crucial to provide the highest level of service to ensure our customers are confident in the value they receive from our newspapers. If you have any questions regarding insertion orders, dates, placement, or creative please contact MNA immediately for clarification. We’re here to help!

INSIGHT: ADVERTISING STRATEGY IN A DEVICE-FRAGMENTED WORLD

Despite the ups and downs that digital advertising has faced over the years, it is still the primary method of monetization for most online companies. According to the Internet Advertising Bureau, the global online advertising business reached \$31 billion in 2011, growing 20 percent over the previous year. As the internet continues to become an even more pervasive force in peoples' lives, arguably the biggest challenge facing the online advertising industry today is the proliferation of devices people use to access information online.

Read the entire article here: <http://bit.ly/R9Ldxv> (Courtesy of *iMediaConnection.com*)

COMMENTARY: CAN THE AD-SUPPORTED WEB BE SAVED?

Advertising is what keeps the Web free, and no one is more painfully aware of this than the niche publisher. Publishers and bloggers have overhead and bills to pay, so the majority run advertising on their sites to keep them afloat. Unfortunately, most will sacrifice good user experience in favor of their bottom line, and will simply run as many ads as they can in the space allocated by their WordPress Templates. Larger, more established publishers will run banners or other display types in the predictable top-of-the-page and right-rail spots. While I applaud their industriousness and efforts to monetize their passions, I also must wonder whether they realize that they are hastening the death of online display advertising by their actions.

Read the entire article here: <http://bit.ly/Tv4Qyr> (Courtesy of *MediaPost.com*)

MOBILE RISING: NEWSPAPER, MAGAZINE READERSHIP, AD ENGAGEMENT UP

More tablet owners are reading newspapers and magazines on their devices, according to the latest data from comScore's TabLens research service, which is based on a three-month rolling sample of 6,000 tablet owners; these findings, along with new data from GfK MRI, hold out the promise of growing advertising and circulation revenues from this burgeoning new channel. Overall, 11.5% of tablet owners — a definition that includes iPad, Android tablets, Kindle Fire, and Nook — said they read newspapers on their tablets "almost every day" or "at least once a week." Some 14.6% said they read newspapers on their tablets one to three times a month, and 37.1% said they read newspapers on their tablets once a month.

Read the entire article here: <http://bit.ly/PEpEs3> (Courtesy of *MediaDailyNews.com*)

TOUCHING: MAN HONORS LATE WIFE WITH 10 YEARS OF NEWSPAPER ADS

For 10 years, retired criminal defense attorney Joe Inger has placed a small ad in the Los Angeles Times in tribute to his late wife, Eileen, who died of cancer in 2002. L.A. Times columnist Steve Lopez shared Inger's tale of how the 81-year-old man placed an ad twice a year honoring Eileen: one on her birthday and another the day she died. Every year, he writes something a little different to his wife, who died at the age of 68. The two were married for 40 years. By placing the ads, Inger told Lopez it was his way of grieving and to get it on the record that "the feelings are still there." (Courtesy of *EditorandPublisher.com*)

QR CODES: KEY DRIVER IN 2012 HOLIDAY MARKETING EFFORTS

Many marketers are turning to various mediums to bolster their holiday marketing initiatives. However, QR codes will be the standout technology that will elevate those campaigns and take them to the next level. Brands such as Target and Tourneau are incorporating mobile bar codes into their holiday initiatives as a way to not only interact with consumers in a different way, but also help increase revenue. Although there is an ongoing love/hate relationship with QR codes, there is no doubt that the technology will play a big role this year.

Read the entire article here: <http://bit.ly/T6wpha> (Courtesy of *MobileMarketer.com*)

MNA SALES QUOTE OF THE WEEK:

“Here is a simple but powerful rule ... always give people more than they expect to get.” –
Nelson Boswell, inspirational author

QUARTER-PAGE PLUS (QP+) NETWORK...THE START OF SOMETHING BIG(GER)



Dan Lind
MNA Managing Director
dan@mna.org

Dear Publishers and Advertising Directors,

A majority of newspapers across the country are all telling a similar story – declining advertising revenues as marketing dollars shift to search, digital, and mobile.

When you take a macro view of why digital and mobile advertising products are the choice of today’s time crunched media buyer, there are four benefits that stand out:

1. Easy to buy and execute
2. Cost effective
3. Wide reach
4. Big impact

To compete with digital and mobile, other newspaper associations across the country have launched “large space” (quarter, half, full page) statewide advertising networks and are finding huge success in selling them to nontraditional newspaper advertisers. The reason for this newfound success? Because large space advertising networks offer the four benefits I described above and can directly complement or replace marketing campaigns running in competing media. The key to the success of these print networks is the ability to offer enough space to communicate a message in full – something that digital and mobile advertising easily accomplishes because the small space creative links directly to a jump-page or website that has

unlimited capacity for communicating a message. 2×2 and 2×4 networks are fabulous at creating brand awareness and telling part of the story through a frequent series of insertions. Large space programs offer enough page presence to tell the entire story, all at one time.

MNA is in the process of creating a statewide Quarter-Page Network (QP+) with hopes of launching in time for the holiday season. As of today, we have 83 members have agreed to participate, with a total circulation of nearly 260,000 households. This is a terrific start! But our research in talking with other state associations, local advertising agencies and potential clients has shown that in order to make the big impact they desire, we need to reach 1,000,000 households. This will give our program substantial reach and penetration of the state and a powerful story to tell. Anything less, and clients will just continue to utilize broadcast to reach the masses they desire and leave newspapers as an afterthought.

The time is right for MNA to launch this new advertising program. Here are three reasons why I'm asking you to consider participating in the QP+ Network:

1. **New Revenue:** MNA is focused on uncovering fresh revenue streams from nontraditional newspaper advertisers. As we represent member newspapers statewide, our goal is to generate business that benefits as many newspapers as possible. As such, MNA acts as an extension of your sales team, doing everything we can to drive new incremental revenue through your door by targeting customers who you normally would not be calling on a newspaper representing a single market.
2. **New Product:** MNA statewide networks have existed for years. The MDAN (2×2) Network is extremely effective for many advertisers, but we continue to hear the need for a program that offers more page presence so their message stands out. With the launch of the QP+ Network, MNA will have a new product to pitch that will provide an answer to advertiser requests for a large space display program designed to make a bigger impact with readers.
3. **New Solution:** MNA consistently hears the same story from agencies – “My client wants to run a trial newspaper ad campaign...is there a special discounted rate you can give us?” Since MNA is not empowered to negotiate rates for its member newspaper – we provide the rate as directed by each newspaper – we are forced to suggest that agencies contact newspapers directly. Because of the tremendous time involved to do so, most agencies simply funnel available ad dollars into a different medium. The QP+ Network will provide a turnkey solution for agencies – statewide coverage at an aggressive CPM that can be executed with one phone call to MNA!

MNA is confident that there is a demand for the QP+ Network, and we have identified potential prospects who have a need for a statewide program to communicate their message. That said, we cannot accurately predict how many programs we will actually sell. But what we know for certain is that without the participation of our newspaper members in the QP+ Network – specifically our daily newspapers with the largest circulation – we will not have a program to sell.

As with our other statewide networks (MDAN/MCAN) you will always have the right to accept or refuse any ad that we sell if you feel as if it is not in your best interest to run it. As such, your commitment to participating is really a no-risk decision.

Some of you may be reluctant to participate because the revenue potential does not seem to make sense. But in my mind, I believe that 20% of something is better than 100% of nothing. In reviewing many of our statewide newspapers, I often see a huge amount of promotional/house ads running – all of which are *unpaid* space. MNA is asking for the opportunity to go out and find clients to pay for that space, and in the process steal a few dollars from competing media and turn non-newspaper believers into loyal customers once they see how effective our newspapers can be at delivering their message and driving results.

I urge you to consider participating in the QP+ Network. We truly believe this will be beneficial for our members, beneficial for our newspaper industry, and beneficial for your newspaper association. Please do not hesitate to contact me directly if you have any questions, and thank you in advance for your consideration.

Have a terrific week,
Dan

If there are specific topics you'd like to see discussed in a future issue of The Sales Cycle, please let me know! dan@mna.org or 612.278.0223



The Minnesota News Media Institute of the Minnesota Newspaper Association provides regular training opportunities for its members. Visit this section of the Bulletin each week to find information on new programs, in-person training sessions and webinars. Contact Program Director Sarah Bauer with any questions, comments or programming suggestions: sarah@mna.org or 612-278-0250.

CHECK OUT THE REYNOLDS CENTER'S UPCOMING FREE TRAINING

From finding investigative stories to interviewing to branding yourself and setting up your own business, we've got you covered with online training you can do at your desk. Please check out [offerings – online and in-person — from the Donald W. Reynolds National Center for Business Journalism](#) and sign.

Learn in just one hour a day with these free webinars:

- [SEC Filings Master Class](#), Nov. 13-15, with Michelle Leder of Footnoted.com

- [Investigating Public Pensions](#), Dec. 4, with Barlett & Steele Award winner Craig Harris
- [5 Local Economic Stories to Jump on Now](#), Jan. 15-16, with NPR's Marilyn Geewax
- [Finding Your Best Investigative Business Story](#), Feb. 5, with Pulitzer winner Michael J. Berens
- [Branding for Journalists: You Being You...Online](#), March 5, with Reynolds Center Digital Director Robin J. Phillips
- [Power Searching for Business Journalists](#), March 19, with Google research scientist Dan Russell
- [Getting the Goods – Interviews that Work](#), May 8-9, with Pulitzer winner and Knight Chair Jacqui Banaszynski
- [The Business of Me](#), June 4-6, with 10,000 Words blog founder Mark S. Luckie

UPCOMING MNI TRAINING OPPORTUNITIES

WEBINAR: Postal: Making The Transition To IMb

Presented by Online Media Campus in Partnership with the Minnesota News Media Institute

Friday, November 2 | 1:00 – 2:00p | \$35 | [Register Online](#)

Effective January 2013 newspapers must implement Intelligent Mail barcode (IMb) in order to be eligible for USPS automation rates. This webinar will provide an understanding of how you can continue to take advantage of automation pricing. It will cover migration to the Intelligent Mail barcode including creating the barcode, obtaining a Mailer ID, working with your software vender and much more.

Topics to be covered:

About the Intelligent Mail Barcode

- What it is and what it means for newspapers
- Differences between Basic and Full-Service IMb
- Different types of IMb (piece, sack/tray, container)
- USPS requirements for IMb transition

What is needed to produce and use a Basic IMb

- Business Customer Gateway account
- Mailer ID (MID)
- Compatible software and hardware
- Possible adjustments to mailpiece design

Resources

- [Links to USPS information on IMb](#)

- Links to various software vendor instructions

Presenter: Brad Hill is one of the National Newspaper Association's representatives on the USPS Mailer's Technical Advisory Committee.

WEBINAR: Reporting on the Tough Issues: The Role Media Can Play in Suicide Education

Presented by Online Media Campus in Partnership with the Minnesota News Media Institute

Friday, November 9 | 1:00 – 2:00p | \$35 | [Register Online](#)

The media can play a powerful role in educating the public about suicide, including ways to prevent it and ways to help readers deal with it and other emotional issues.

In this webinar we will discuss:

- The relationship between bullying and suicide.
- Safe and responsible ways media can cover suicide.
- How to use stories to inform readers of causes, warning signs, trends and treatment advances.
- How to avoid reporting ways that may lead to suicide contagion.
- National media recommendations for safe reporting.

In today's society, reporters must report on an alarming number of sensitive stories, particularly those involving young people. Each of the techniques and tools discussed in this program will be applicable for coverage of delicate topics.

Presenters: Wylie Tene is the public relations manager of the American Foundation for Suicide. **Emily Bazelon** is the author of "Sticks and Stones: Bullying and How To Solve It," to be published by Random House in February 2013.

WEBINAR: Investigative Story Ideas For Small Newspapers

Presented by Online Media Campus in Partnership with the Minnesota News Media Institute

Friday, November 16 | 1:00 – 2:00p | \$35 | [Register Online](#)

Original enterprise news exists in plenty of small towns and counties. Your newspaper can secure its position as a community leader when you tell your readers about it, using investigative reporting that is achievable with small staffs. This session shows techniques, habits and practices to help you identify explanatory and investigative stories that give meaning to ongoing controversies, issues, government actions and decisions you are covering.

Presenter: Stephen J. Berry, co-founder, former interim executive director-editor and advisor for the Iowa Center for Public Affairs Journalism, is a journalism professor at the University of Iowa, teaching introductory, intermediate and investigative reporting and writing to

undergraduates and graduate-level courses on reporting and contemporary problems in journalism.

UPCOMING INLAND WEBINARS



Webinars cost only \$75 for MNA members.

To view all upcoming webinars, or to register, [click here](#).

Building Revenue: Four Secret Weapons to Grow Email Marketing Revenue

[REGISTER NOW!](#) Thursday, November 8 | 2:00 p.m. CDT

Newspapers attract record audiences to their websites, and many have created large databases of subscribers. But not all have created the revenue to match. Email marketing is the third-largest category of interactive spending and a huge opportunity for newspapers. Join database marketing expert Ruth Presslaff of Presslaff Interactive Revenue, as she cites case studies from newspapers who are tapping into these dollars. She shares the four secret weapons that will generate traditional and digital revenue at your newspaper.

With Ruth Presslaff, owner, Presslaff Interactive Revenue

Mobilize Your Classifieds:

[REGISTER NOW!](#) Wednesday, Dec. 5 | 2 p.m. CDT

In this webinar, Adpay shares the strategies for success in classified advertising drawn from its 10 years of serving the media industry. Learn the best practices that generated increased traffic, ad counts and revenues for their partners in mobile, digital and print platforms. Robert Granfeldt, Digital Vice President at Southern Community Newspapers, Inc. will outline how their papers achieved classified gains by following these clear steps.

As a bonus, the webinar will conclude with an offer of a free classified evaluation by Adpay to all attendees. This evaluation will uncover the tweaks to your current system that will quickly make an impactful and positive change.

With Deb Dreyfuss-Tuchman, Executive Vice President of Sales Adpay Inc. and Robert Granfeldt, Vice-President of Digital Media Southern Community Newspapers, Inc.

View a full list of upcoming Inland Press webinars here:

<http://inlandpress.org/training/webinars/>

POYNTER'S NEWS UNIVERSITY

The Poynter Institute's News University serves more than 130,000 users through courses, group seminars, and Webinars, covering subjects from multimedia techniques, to writing, to reporting, and beyond.

Some interesting upcoming training events:

- [November 9: Measuring Your Social Media Impact](#)
- [On Demand \(FREE!\): Covering Islam in America](#)
- [Training Package: Essential Skills for the Digital Journalist: The Webinar Series](#)
- [On Demand: Medicare Reform: Reporting Past the Rhetoric](#)
- [On Demand: Five Steps to Multimedia Storytelling 2012](#)

[CLICK HERE](#) for a complete list of upcoming training opportunities.

TRADEWINDS

Services for **Lily T. “Lil” Brovald**, 85, of St. Paul were Friday, Oct. 12 at Eau Claire WI with burial at Forest Hill Cemetery in Eau Claire.

Lil died Monday, Oct. 8 at Highland Chateau Health Care Center in St. Paul. She was the widow of Walter Brovald, professor of community journalism at the School of Journalism and Mass Communication at the University of Minnesota.

The Brovalds owned the Cadott WI Sentinel before Prof. Brovald came to the University to teach community journalism. He was a very popular professor in the Minnesota newspaper community.

Lil worked at the College of St. Catherine and the College of St. Thomas.

After Prof. Brovald passed away, Lil became active in the Minnesota Newspaper Museum at the Minnesota State Fair where she was the in-house expert on making printer’s caps. For many years, she also attended the annual Minnesota Newspaper Association convention.

She had a great sense of humor and never was without a joke. She also was a fan of the musical “Forever Plaid” and saw the actors perform in over 1,000 shows.

Funeral arrangements were with Stokes, Prock and Mundt Funeral Chapel in Altoona WI.