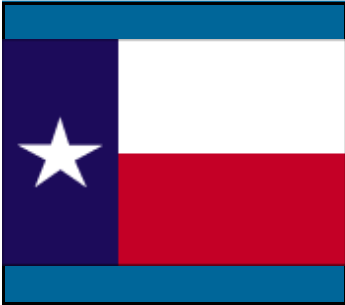


May 2000

Austin: 2000

TEXAS CIRCULATION
MANAGEMENT ASSOCIATION

TCMA Newsletter



“Live music dot com - having the luncheon, you will hear one tech of a time” is the theme TCMA Committee reports. A special that the Austin American-Statesman has selected for the 2000 fall conference. **Sylvia Gonzales** from the host newspaper has been busy with her team of coordinators making sure every facet of the conference will be a hit. **Lorenzo Vigliante** has put together a list of conference speakers that are second to none. We will begin Tuesday with our keynote address by **Craig Zablocki**. Craig also spoke at the 1997 Conference in Dallas. His topic this year is “Lighten Up and Laugh—for the Health of It.” Following **Craig Zablocki** will be a presentation on the College Resident Hall Readership Program. This program will be led by **Jack Holiday** from the Dallas Morning News. A speaker from USA Today will join Jack in this presentation.

ing the luncheon, you will hear one tech of a time” is the theme TCMA Committee reports. A special surprise is also being planned. The afternoon session will begin with a Circulation Retention Fundamentals presentation by **Steve Jacobs** and **David Dadisman**. These gentlemen recently gave this presentation at Texas Daily Newspaper Association meeting in San Antonio. **Ken Schultz** will return to Austin to give us an update on the Audit Bureau fifty percent rule.

Wednesday will be a day of technology. The day begins with the Hot Ideas Breakfast, followed by a presentation of new technology used by the Dallas Morning News. In the afternoon, **Jack Saunders** will present the Electronic Delivery List program that is being used by the Arizona Republic.

To start the week off right, the annual golf tournament is planned at the Great Hills Country Club. The entire TCMA program and details of each event are available on the TCMA Web site at www.texascma.org.

The TCMA lunch has been moved to Tuesday this year. Dur-



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Special points of interest:

- **2000 Fall Conference**
October 9-11, 2000
Austin Texas
- **Omni Reservations**
512 576 3700

Legally Speaking

By L. Michael Zinser TCMA General Counsel



Newsrack Lottery Suspect

The U. S. District Court for the District of Hawaii recently enjoined a municipal ordinance instituting separate lotteries to assign newsrack locations in the Waikiki Special District. Honolulu Weekly, a free publication, was not permitted to apply for the lottery awarding space in coin-operated dispensing racks.

The court acknowledged that the city had alleged two significant governmental interests: aesthetics and safety. However, the distinction between "those publications being distributed via coin-operated and noncoin-operated dispensing racks," while content neutral, did not narrowly address the two governmental interests at stake:

Preventing free publications from using coin-operated dispensing racks (while requiring no actual coins) does not affect aesthetics or safety at all as there is no relation between the act of paying for a publication and Honolulu's aesthetic or safety purposes.

Employer May Record Calls

U.S. Court of Appeals for the Second Circuit held that an employer that recorded employees' private telephone conversations at work did not violate federal wiretapping statutes because recording conversations was a recommended, ordinary business practice, and there were valid public safety reasons for recording calls.

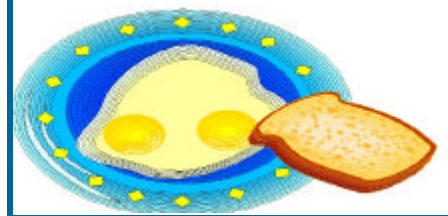
Arias and Albergo worked for Mutual Central Alarm service as operators. Various standards agencies recommended and mandated that security agencies record all incoming and outgoing telephone conversations as a matter of public safety. Arias was involved in divorce proceedings with his wife and having an affair. Arias' father-in-law was his boss and upon confirming that conversations were recorded, Arias quit and sued his former employer claiming that his personal telephone conversations were unlawfully intercepted, used and disclosed.

The plaintiff's claims of unlawful interception of private and privileged telephone conversations failed for two reasons: 1) "the blanket recording of the

plaintiff's telephone conversations was conducted in the ordinary course of business;" and 2) the employer did not have to disclose that the conversations were recorded because there was a "valid business purpose" behind the recordings-the deterrence of criminal activity.

Hot Idea Breakfast Winner!

At the recent Spring Seminar Hot Ideas Breakfast, **David Simmons**, Circulation Manager for the Orange Leader, won a free registration for 2000 Fall Conference in Austin. **David** was one of several that offered ideas that have worked at his newspaper. There will be another hot idea breakfast at the fall conference.



Omni Hotel Reservations

\$139 room rate
(single or double)

(Availability and rate guaranteed through **September 1, 2000**)

Call (512) 476-3700



New TCMA Members

Ken Davis	
Joel Garrott	Austin American-Statesman
Andre Theriault	Daily Sentinel
Jim B. O'Brien	Frederiksen & Frederiksen
Greg Garcia	Houston Community Call Center
Chris Bradford	Jacksonville Daily Progress
Debbie Jones	Jacksonville Daily Progress
Coral Perez	Laredo Morning Times
Dean Foster	Lufkin Daily News
Raymond Schiel	Mc Kinney Courier-Gazette
Lorna Navarette	Pecos Enterprise
James Cox	Stephenville Empire Tribune
Brent Burns	TeleDirect International, Inc.
Wayne Brune	Tex-Trude
William Seal	Texas Teleservices, Inc.
John Lavelle Jr.	Wall Street Journal
Cole Martelli	Wall Street Journal

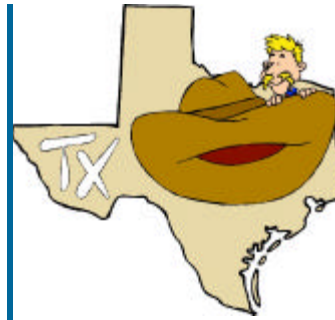
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having one tech of a time

**October 9- 11, 2000
Austin Omni Hotel Downtown**

Carrier of the Year (COTY) Award Schedule

June 6-16	Review Applications
June 16	Select three finalists from each category
June 19	Notify finalists
July 24	Finalist videos due
Mid August	Board selects winners
Late August	Winners notified
October 11	Award Presentation at Conference



Texas Roundup!

*Back by popular demand, The Texas Roundup appeared in previous editions of the TCMA Newsletter. Our new Regional Directors will be calling you for events at your newspaper 'round the great State! Our first "roundup" is from **Jack Light**, North Regional Director.*

News from the North

As TCMA Director for the North region, I will be sharing updates of on-going promotions throughout our region plus pass along information on open positions that will be of interest to us all.

The "West Texas Shoot-out" was a one-month sales contest between the circulation departments in Amarillo and Lubbock. The competition resulted in subscription sales that were more than double a typical month for both of the papers. (The trophy will be temporarily be collecting dust in Lubbock until the rematch)

It was great to meet many of you for the first time at the recent Spring Sales Seminar in Austin. I am excited about the annual convention in Austin this October. I will see you there for "one tech of a time."

Jack Light
Amarillo Globe-News

TCMA Regional Directors

Lane Aten (South)	(956) 430 6296
Jack Light (North)	(806) 345 3421
Tyler Patton (West)	(915) 333 7722
Sylvia Gonzales (Central)	(512) 445 3753
Bobby Perry (East)	(903) 794 3311

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Phone numbers and e-mail addresses of the officers are available at www.texasdma.org

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Texas Circulation
Management Association
TCMA Newsletter
May 2000

James Smith
Secretary, TCMA
Houston Chronicle
801 Texas Avenue, Suite 219
Houston TX 77002
713 220 7644
713 354 3099 fax

tcma@texasdma.org
www.texasdma.org