

Learn phrase 'This is a sunshine law request'

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This is one of those months when there are several important topics that should be addressed in this column, but none of which warrant the full column, so you get small snippets of important information rather than a whole column on one subject. Think of it as Neopolitan Ice Cream rather than Chocolate alone!

The big news last month was the opinion by Attorney General Chris Koster as to whether the Missouri Department of Revenue violated the Sunshine Law by not responding timely to a request for access to public records relating to the E. coli testing results at Lake of the Ozarks. When that opinion came out, I blogged about it at <http://mosunshine.typepad.com>, so you may already know my opinion about that issue.

But it bears repeating here. All of you reading this column probably use the Sunshine Law daily. You interact with officials of public governmental bodies so much that they become friends. You take those relationships for granted, sometimes. You talk shorthand. They know what you want everyday when you go in, and they (I hope) usually have it waiting for you so you don't even have to ask for the records.

But that doesn't change the law, and when it bites you, it really packs a punch. You forget to say, "This is a Sunshine Law request." You assume they know. And then when the time comes and the records are slow in coming, the Missouri Attorney General's office says, as they have a right to say under the law as it now stands, "But forsooth, there was no Sunshine Law request made, so no harm, no foul." Or words to that effect.

And you say, "Darn it." (Or words to

that effect.) "They knew it was a Sunshine Law request." And indeed they did, they think, as they peek out from the big rock they are hiding under. But does that matter? No. You failed to say the magic words and so you are left sitting at the starting gate.

So, the lesson learned is the MINUTE

a record isn't immediately forthcoming, check and make sure you've said the magic words. There's nothing wrong with using the form letter posted on the Attorney General's website. Get that request in writing quickly using that form or something similar. **Use the magic words – tell them it's a Sunshine Law request.**

And on another Sunshine Law front, the Missouri Municipal League is engaged in a campaign with its members to fight the efforts of groups such

as The Missouri Citizens for Property Rights, who are telling the public that the League and/or its members are using tax dollars to fight its efforts to amend the Missouri Constitution to nullify nuisance abatement laws and procedures to redevelop blighted areas with eminent domain.

This is an interesting effort to watch. I've always thought the League is using our tax dollars when it lobbies in Jefferson City against the Sunshine Law. I've never, ever, been to a hearing on a Sunshine Law bill where the MML didn't have a presence there to speak in opposition to some or all of the changes we were suggesting.

Is it right for the League to take its membership dues, paid for by cities using YOUR tax dollars, to fight against YOU having access to public records? Seems to me that they need to find some other issue to spend YOUR tax dollars



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on. I sure don't want the city taxes that I pay spent on closing my access to public records. How about you? If you agree, it wouldn't hurt to remind them of this.

Meanwhile, there is beginning to be a discussion within the industry as to whether newspapers should leave the model of free and unlimited access to their websites and return to a model of paid subscriptions to some or all of the online content. I don't know where your papers are with this issue, but if you are considering a switch to a fee-paid model, the next question you'll be calling to ask me is whether you have to pay sales tax on those on-line subscriptions. **The answer is No.** Authority for that can be found at the following link: <http://dor.mo.gov/tax/rulings/LR4060.htm> – save that link because you may need it later! (Or call me and I'll give it to you.)

Finally, I sat through an interesting panel discussion a few weeks ago in Kansas City. Participants included a representative from *The Kansas City Star*, a suburban weekly publication and a high-profile local blogger, among others. It was quite fascinating and relatively well attended.

The blogger, (Yes, Tony Botello, I'm going to mention Tony's Kansas City, found at <http://tonyskansascity.com>, by name – don't go there for the first time unless you are at your home computer), made the comment at the gathering that newspapers are no longer needed because "Data bases are online. Everything is online."

I wish. Yes, there's a lot more information online today for citizens than there was years ago, but the point is what another panelist suggested – it takes trained reporters to bring that data together in a meaningful way and to provide value from it.

Will the day come when

only rich people can afford to get the news? If we go to paid subscriptions on the Internet, and if not everyone has full-time access to a computer and the Internet, we'll have to depend on television and radios for our news. And who will provide the local news coverage for those outside the major metropolitan areas? A lot of communities don't have local television or radio stations.

That's why I believe community journalism is here to stay!