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Testimony on SB13 for the House Education Committee  
Opponent (Written Only)  
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With the recent draft of Senate Bill No. 13 revolving around KSHSAA exclusive broadcast rights, and a few Kansas media outlets aiming to allow anyone the ability to video broadcast state championship games, many points and potential ramifications should be factored before considering passing SB 13.

Kansas media are looking for extra paths for revenue - aren't we all? Football, basketball and some volleyball and wrestling are the money drivers. Before the NFHS contract in 2019, many sports went uncovered because stations only followed their area schools, or football/basketball due to revenue.

With NFHS (the NCAA of high school activities) the last three years, here are the guaranteed games broadcast annually:

- Volleyball: 132
- Basketball (boys, girls): 116
- Soccer (boys, girls): 24
- Swim/Diving (boys, girls): all three days (64 hours)
- Football: Nine football classes
- Baseball, softball: 30 semifinals, title games

In the 50<sup>th</sup> anniversary of Title IX and promoting women's sports, SB 13 would **reduce** the amount of girls sports coverage - as well as some boys. Is this what we want? Also, this takes away:

- revenue opportunities, logistics (network access, bandwidth) and space in press boxes and gyms for student broadcasts
- presents logistical issues for state locations with space, internet if multiple broadcasts are conducted

Currently the NFHS/KSHSAA production is with Kansas media - but a different set of media. Long-time and award-winning announcers such as Mark Ewing and Glen Grunwald, KU and K-State students and other Kansas media broadcast the games.

No coverage is being taken away from these sports with the NFHS contract, and no additional broadcasts would be gained with SB13 - they are already guaranteed and broadcasted. It's just that some media groups want to make their revenue on these events instead.

Two other legal issues will arise ahead:

1) Sports Radio 810 personnel has been told that this is the first step by the group supporting SB13 to setting a precedent and trying to break up exclusive contracts by Learfield Sports, the Jayhawk Network and ESPN+, as well as the MIAA Network (Pittsburg State, Emporia State, Washburn, Fort Hays). This bill is attempting to break an exclusive media contract with the

NFHS and KSHSAA. It's no different than deals with the NCAA, NFL, MLB, etc. If this is passed, the precedent is set and the college level will be pursued next in Kansas.

2) Breaking up a contract with two entities will set a precedent for any realm - Briggs Auto as the exclusive car dealer of K-State, Sysco foods with a deal with say Freddy's, etc. And litigation already occurred and was won in this exact scenario in a federal district court, as the 2011 federal case of *Wisconsin Interscholastic Athletic Association vs Gannett Co* ruled against the local media company and in favor of WIAA to exclusively license high school broadcasting rights. On paper, sure, Kansas media should have rights to broadcasts - but they already do. KSHSAA allows anyone - for free - to broadcast on radio or TV during the postseason. Every entity has rights to their intellectual property, and so does KSHSAA, the NCAA, the NFL and the teams, whether Dodge City, Washburn Rural, the Chiefs or K-State.

This bill would take that right away, take away guaranteed coverage for boys and girls student-athletes in many sports, and a very likely legal battle with NFHS and eventually other media and colleges ahead. From the Committee of Education's standpoint, it would be best to support the educational piece of student broadcasts during the regular season and guaranteed coverage in the postseason, focus on other bills as more competitive classes with private/public school classification, the bill for harassment against officials/referees, and let the media find other ways for revenue.