

Vermont Association of
Broadcasters

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Mal Boright 1935 - 2016



Mal Boright

Longtime sports and news reporter Mal Boright passed away at his Williston home on March 18. He was 81.

A 1952 graduate of Newport High School and a veteran of the U.S. Air Force, Boright enjoyed a truly varied media career.

He was a writer and columnist for the Newport Express, the Rutland Herald, the Burlington Free Press and the Williston Observer, among others.

On television, he was both Sports and News Director for WVNY-TV. His radio career included stints at WJOY-AM, WKDR-AM and a long association with WDEV, where he made sports predictions as "The Swami."

He also coached local basketball teams and, as a player, took part in three U.S. Senior Basketball Olympics.

He leaves his wife, Annie Mitchell, five children, two step-children and five grandchildren. A celebration of his life will be held at 2:00 pm Saturday, April 2nd at the Old Brick Church in Williston. The family asks that in lieu of flowers, donations be made to the Jimmy V. Foundation for cancer research.

NAB'S GORDON SMITH TO ATTEND VAB CONVENTION

Former United States Senator Gordon Smith, President and CEO of the National Association of Broadcasters, is scheduled to attend the VAB's 61st Annual Convention. The convention will be held Wednesday, May 25 at the Capitol Plaza Hotel and Conference Center in Montpelier.

Born in Pendleton, Ore., Smith attended college at BYU, received his law degree from Southwestern University School of Law and practiced law in New Mexico and Arizona before returning to Oregon to direct the family-owned Smith Frozen Foods business.

Before his election to the U.S. Senate in 1996, Sen. Smith was elected to the Oregon State Senate, rising to the position of president of that body after only three years.



Gordon Smith

"It'll be a great honor to have Senator Smith with us at our convention," said VAB Executive Director Jim Condon. "He's done an amazing job for all broadcasters."

Smith is expected to participate in David Oxenford's morning seminar on political advertising rules, and is also expected to speak at the Commercial of the Year Awards Luncheon.

Other seminars will include sales training with Sean Luce, programming insights from Sean Ross, and a workplace law refresher from Burlington attorney Kerin Stackpole.

Tickets are only \$25 each, but space is limited.

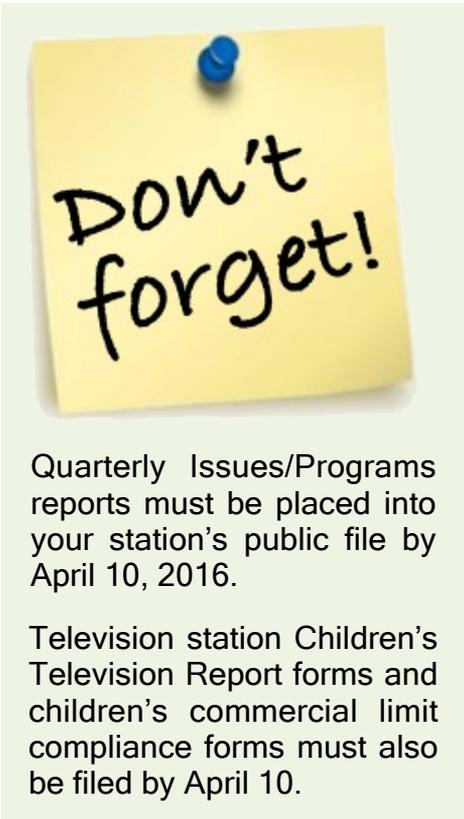
[Click here to register today!](#)

WPTZ'S GEORGE MALLET GALLOPING OFF TO WISCONSIN



Thanking viewers and coworkers alike for putting up with his "offbeat sense of humor," WPTZ-TV/WNNE-TV news co-anchor George Mallet announced his departure March 31 at the end of the 6 p.m. news. He's moving back to Wisconsin, where he previously worked.

He's been at WPTZ for more than five years, co-anchoring with Stephanie Gorin. George and the rest of the news team were honored last year by the VAB for coverage of the Dannemora escapes. Best of luck to you and your family, George!



Don't forget!

Quarterly Issues/Programs reports must be placed into your station's public file by April 10, 2016.

Television station Children's Television Report forms and children's commercial limit compliance forms must also be filed by April 10.

CONGRESS OK'S IPAWS BILL

On March 21, the House of Representatives passed the "Integrated Public Alert and Warning System Modernization Act of 2015." The bill passed the Senate in July of 2015 and now awaits the President's signature.

The bill instructs FEMA to adopt standards for IPAWS; it establishes a training program for federal, state and local officials in the use of the CAP-enabled EAS system; mandates a national test not less than once every three years; requires public education to inform citizens of the functions of the alerting system.

The bill was originally introduced by Sen. Susan Collins of Maine and was championed by Suzanne Goucher, head of the Maine Association of Broadcasters. Thank you, Susan and Suzanne for your hard work on this!



David Oxenford

Watch out for those April Fool's Day Pranks

Now that April Fool's Day is here, we need to play our role as attorneys and ruin the fun by repeating our annual reminder that broadcasters need to be careful with any on-air pranks, jokes or other bits prepared especially for the day. While a little fun is OK,

remember that the FCC does have a rule against on-air hoaxes - and, while issues can arise at any time, broadcaster's temptation to go over the line is probably highest on April 1. The FCC's rule against broadcast hoaxes, Section 73.1217, prevents stations from running any information about a "crime or catastrophe" on the air, if the broadcaster (1) knows the information to be false, (2) it is reasonably foreseeable that the broadcast of the material will cause substantial public harm and (3) public harm is in fact caused. Public harm is defined as "direct and actual damage to property or to the health or safety of the general public, or diversion of law enforcement or other public health and safety authorities from their duties." Air a program deemed a hoax, and expect to be fined by the FCC.

This rule was adopted in the early 1990's after several incidents that were well-publicized in the broadcast industry, including one case where the on-air personalities at a station falsely claimed that they had been taken hostage, and another case where a station broadcast bulletins reporting that a local trash dump had exploded like a volcano and was spewing burning trash. In both cases, first responders were notified about the non-existent emergencies, actually responded to the notices that listeners called in, and were prevented from responding to real emergencies.

In light of this sort of incident, the FCC adopted its prohibition against broadcast hoaxes. But, as we've reminded broadcasters before, the FCC hoax rule is not the only reason to be wary on April 1. Beyond potential FCC liability, any station activity that could present the risk of bodily harm to a participant also raises the potential for civil liability.

(David Oxenford of Wilkinson Barker Knauer, LLP is the author of [Broadcast Law Blog](#) and will conduct a seminar at the May 25 VAB Convention. [Click here to register.](#))

KEN SQUIER NOMINATED FOR NASCAR HALL OF FAME



Ken Squier

WDEV's Ken Squier was among 20 people nominated for the 2017 NASCAR Hall of Fame class. He previously was an inaugural winner of the Squier-Hall Award for media excellence. The Hall of Fame nomination noted, "With a smooth voice, and a knack for weaving a simple note into an epic tale, Ken Squier carved a massive footprint during NASCAR's formative broadcast years...It was his golden voice that took NASCAR to a national audience thirsting for live coverage, giving his insider's view of what he famously described as "common men doing uncommon things." Good luck, Ken!