



## Free Press Viewpoint

### Speaker needs to ditch lawsuit

Rep. Mike O'Neal, speaker of the Kansas House, has done a bad thing. He needs to admit it, correct his error and get on with the session.

The Hutchinson Republican is maybe best known in this area for representing Dr. Victor Hildyard in his disputes with the Colby hospital, but now he's not only a lawyer in private practice, but the leader of the state House of Representatives.

It was a mistake for him to sign on as the attorney for a group protesting a bill which "swept" \$5 million in unused money out of state trust accounts to help balance the budget. Groups ranging from real estate agents to workers-compensation insurance pools complained that this was not the state's money, but theirs, money they paid to the state in trust for future use.

These groups may have a good case, and as Mr. O'Neal says, they certainly deserve to be heard in court. We have no argument with that. On the surface, at least, it looks as though they may be right.

But the speaker should have left this case to some other lawyer. It's unseemly, having a high state official involved in suing the state, especially in a year when many are unhappy with school districts using state money to sue the state.

It just doesn't look good.

And, the longer he sticks with this lawsuit, the more Speaker O'Neal will realize that in public ethics, what looks bad is bad, legal niceties aside. It won't make much difference what else happens in this case. His enemies, both within his own party and in the other party, will make hay.

Mr. O'Neal can call this "playing politics," as he has, but it won't wash. He's a big boy, and he should have seen the problem. Suppose the governor decided to represent someone suing the state? Or, God forbid, the attorney general?

Other House Republicans see the error of his ways, but they're mostly afraid to cross the speaker, who can cast death spells on their bills. The Dems have no such qualms.

"In my opinion, there is too much inherent conflict of interest in that situation," said Senate Minority Leader Anthony Hensley, who introduced an amendment to bar legislators from taking similar cases.

Makes no difference who complains. It will weaken Rep. O'Neal's position. The longer he hangs on, the worse he will look. He'll be hurting his party and eroding his own power.

Give it up, Mr. Speaker. Let someone else handle this case. And get on with the people's business. — *Steve Haynes*

### Write us

The Colby Free Press encourages Letters to the Editor on any topic of general interest. Letters should be brief, clear and to the point. They must be signed and carry the address and phone number of the author.

We do not publish anonymous letters. We sign our opinions and expect readers to do likewise. Nor do we run form letters or letters about topics which do not pertain to our area. Thank-yous from this area should be submitted to the Want Ad desk.

Letters will not be censored, but will be read and edited for form and style, clarity, length and legality. We will not publish attacks on private individuals or businesses not pertaining to a public issue.

Before an election, letters (other than responses by a candidate) will not be published after the Thursday before the polls open.

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**Steve Haynes - Publisher**  
s.haynes @ nwkansas.com

#### NEWS

**Kevin Bottrell - News Editor**  
kbottrell @ nwkansas.com

**Andy Heintz - Sports Reporter**  
aheintz @ nwkansas.com

**Marian Ballard - Copy Editor**  
mballard @ nwkansas.com

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### House works to stretch a buck

A full month into the session, the Kansas Legislature is in high gear. The state's bleak financial picture is at the forefront of discussion for both budget and policy committees.

Many bills either offer solutions through increasing state revenue or look for ways to stretch a buck or to streamline services. Several of these ideas have the potential to offer long-term improvements in the way the state collects and spends your tax dollars.

**2010 Rescission Bill Debated:** Last Wednesday, the House debated its version of the budget-cutting bill needed to fill the hole for the current 2010 fiscal year. Sub for HB 2222 included a number of the governor's recommended adjustments. Due to the nationwide recession and increased unemployment, the state general-fund budget needed to be trimmed by nearly \$161 million, though most of that money was cut in July and November by the governor. After light debate, the House amended the bill to include a 5 percent pay cut for every elected or appointed official. The bill passed the House 113-7 on Thursday. Work continues on the 2011 budget and more cuts and adjustments are forthcoming.

**House Adjusts 911 Service Fee:** The House passed a bill Tuesday that will level the 911 service fee collected on every landline and mobile telephone billed or sold in Kansas. House Substitute for Senate Bill 48 is a compromise between all parties involved in making sure



**Jim Morrison**  
● Capitol Review

our 911 emergency centers receive your calls for help.

Currently, those with landline telephones pay 75 cents a month to help pay for equipment at 911 emergency centers. Mobile phone users pay 50 cents. Under SB 48 both will pay the same fee.

Businesses that sell popular prepaid phones will collect a 1.1 percent fee. The bill is now in conference.

**School Bus Replacement:** The House Transportation Committee passed out a bill this week to help Kansas schools stretch their transportation budgets.

HB 2486 extends how long districts can own a school bus. Right now, districts must replace a bus once it is 20 years old. The legislation would extend the replacement program to every 25 years.

**School lawsuit against State:** The following is the ruling by our Kansas Supreme Court:

"The plaintiffs, Ryan Montoy, et al, have

filed a motion to reopen Montoy v. State of Kansas .... The defendants, the State of Kansas and the Kansas State Board of Education, have each filed a response.

"Having fully considered the motion, the responses, and the reply, the court denies the motion.

"On July 28, 2006, in the fifth and final decision in this case, the court concluded that the Legislature's efforts in enacting 2005 HB 2247, modified by 2005 SB 3, and 2006 SB 549 constituted substantial compliance with our prior remedial orders."

As you may recall, a coalition of more than 60 school districts requested the high court reopen the old case in response to recent cuts in state aid to public schools. The school suit is at the center of the current budget debate since the state is facing overwhelming needs.

The school districts now will have to go through a much more complicated process to sue the state and are not as likely to prevail.

It is an honor to serve you in the House of Representatives. As always, if you have any questions or concerns, please do not hesitate to contact me or my staff.

*Jim Morrison is representative for the 121st District of the Kansas House, covering Sherman, Thomas, Sheridan and Graham counties.*

### Vandalism spree 'dangerous'

To the Editor:

Within the past several weeks, vandals have caused property damage out in the county and also within the Colby city limits. Mailboxes, traffic control signs, street signs and other items have been run or pushed over or struck with blunt objects. Small appliances, furniture and other debris have been dumped in roadways where vehicles can strike them or simply left as litter. This past weekend, someone chopped down three nice trees in West Side Park, just off of Smith Drive.

The removal or destruction of traffic control and county road signs could cause someone to suffer serious injury or death, or prevent emergency units from finding a county destination.

Dumping of debris in the roadways, hoping that someone may run into it, simply means that the persons involved have no care in the world for the safety of you or your loved ones. Killing trees in one of our parks is just senseless destruction.

The Colby Police Department is offering a \$500 reward, as is the Thomas County Sheriff's Office, for information leading to the arrest and conviction of those responsible. If you know of anyone who may be participating in these illegal activities, we urge you to contact the Police Department, the Thomas County Sheriff's Office, or someone who will relay your information to the proper authorities.



### Free Press Letter Drop

● Our readers sound off

The Police Department number is (785) 460-4460. The sheriff's office is 460-4570.

Randall W. Jones, chief of police  
Rod Taylor, Thomas County sheriff

### Join '40 days' prayer

To the Editor:

The Spring Forty Days for Life will begin today, Ash Wednesday, and end on Palm Sunday, March 28. As in past years, I urge you to join with prayer warriors in 165 cities from coast to coast, as well as some in Canada, Australia and Northern Ireland, as they pray for an end to abortion.

Choose any prayer that fits into your prayer life. You can receive a daily meditation from www.fortydaysforlife.com if you wish. This is an ecumenical prayer campaign, and meditations are from people of all denominations.

Only through prayer can we abolish this terrible atrocity in our country and throughout the world.

Joan Albers, Colby

### Seniors say 'thanks'

To the Editor:

In January, the senior class at Colby High School discussed how much we appreciate being in a place where we feel that everyone supports the high school activities.

During the Paul Wintz-Tom Bowen Orange and Black Classic, the city put up orange-and-black flags around town to welcome visiting teams, and gave them a glimpse of the community support that we encounter all year long.

Many stores had "Orange and Black Specials." Area businesses have supported the tournament many years with money and volunteer hours.

We know it takes hours and hours of hard work before and during the event by people in our town. We just wanted to say that on behalf of the Class of 2010, we appreciate everything our community does for us.

Thanks for making Colby a great place to grow up.

Anna Juenemann, president  
Colby High Class of 2010

### Where to write, call

**U.S. Sen. Pat Roberts**, 109 Hart Senate Office Building, Washington, D.C. 20510. (202) 224-4774

**U.S. Sen. Sam Brownback**, 303 Hart Senate Office Building, Washington, D.C. 20510. (202) 224-6521

**U.S. Rep. Jerry Moran**, 2202 Rayburn House Office Building, Washington, D.C. 20515. (202) 225-2715 or Fax (202) 225-5124

**State Rep. Jim Morrison**, State Capitol Building, 300 SW 10th St. Room 274-W, Topeka, Kan. 66612. (785) 296-7676 e-mail: jmorriso@ink.org

web: www.morrisonfamily.com

**State Sen. Ralph Ostmeyer**, State Capitol Building, 300 SW10th St., Room 225-E., Topeka, Kan. 66612, (785) 296-7399 ralph.ostmeyer@senate.state.ks.us

### Mallard Fillmore

● Bruce Tinsley

