

MARGULIES
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Other Viewpoints

Open meetings still foreign to some

Reports that legislators appeared to be getting serious this year about becoming more familiar with the Kansas Open Meetings Act were interpreted here as a sign they were standing up for open government and transparency.

Alas, that doesn't appear to be the case. The almost total lack of understanding displayed by some legislators about the law and its purpose at a recent informational meeting was incredulous and bordered on arrogance.

Nothing was more amazing than statements by Senate President Susan Wagle, R-Wichita, who obviously thinks her constituents and other Kansans don't need to be let in on what's going on under the Capitol dome until it's time to take a vote.

Most people who make even the slightest attempt to track what the Legislature is doing each spring know the heavy work has been done before a bill comes up for a vote in the House or Senate. Legislators just don't walk into those chambers undecided about how they're going to vote on bills ready for final action.

The important information is how legislators reached the decisions that are going to be reflected in their votes. What information was presented, by whom and in what format that led legislators to the positions they are going to endorse when the roll is called? Those are things the taxpayers should know and want to know. And that's why we have the Kansas Open Meetings Act.

Wagle and some of her colleagues in the Senate think otherwise.

"I think the intent was to make sure we vote in public," Wagle said during a recent primer on open meetings presented by Shawnee County District Attorney Chad Taylor and assistant district attorney Matt Patterson.

If that statement didn't make Taylor cringe, it should have. Taylor's office last year was asked to investigate several dinners at the governor's residence to which Republican majorities of legislative committees were invited.

Taylor's report clearly stated that discussion of public business at such gatherings constituted an Open Meetings Act violation, although he called violations uncovered during the investigation "technical" and declined to prosecute anyone.

Some legislators, including Wagle, apparently didn't read, or didn't comprehend, Taylor's warning.

When Taylor told senators last week that they could violate the act if a majority of a committee discussed business even in a social setting like the Cedar Crest dinners, Wagle took exception.

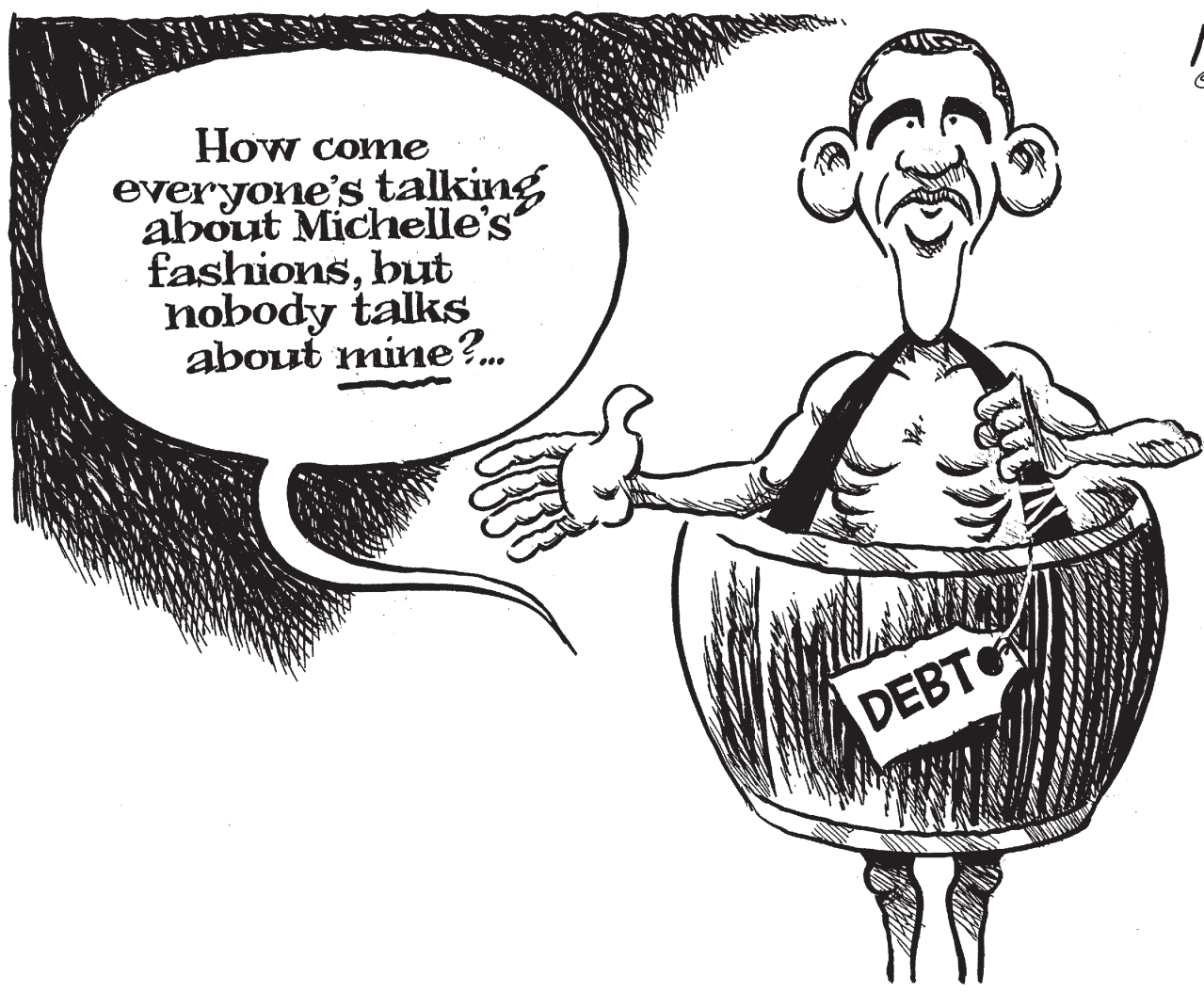
"That's a very broad interpretation you describe to us of how you interpret the law," she said. "We believe conducting business is taking a bill, discussing it, proposing amendments and voting on it."

Wagle's definition of conducting business may be an accurate description of what occurs at a committee meeting in the Statehouse, but discussing legislation outside of that setting also constitutes conducting business. It's time she and her colleagues acknowledge that fact.

Some senators asked Taylor if the open meetings act could be violated if a group of legislators were talking about legislation but a corresponding bill hadn't yet been written.

From where we sit, that sounds a lot like conducting the public's business....

- The Topeka Capital-Journal, via the Associated Press



What's in the box? It's looking back

Cynthia came back from a pharmacy job to find a box on her desk.

I wasn't surprised. My brother had called to say he was sending something and wanted to be sure someone would be there to sign for it. So I told him to send it to the office.

There's always someone to sign at the office.

"What is it?" I asked.

"I don't know," she said. "Probably the little frozen lobster tails and steaks again."

I had my doubts. Little brother never called to warn us about the frozen food he'd sent for years.

Did I say little brother? He's the middle one, but as an adult, the smallest, or at least, he used to be.

He was always the trim, athletic one. With darker hair. I was the dumpy one with white hair. Time has a way of changing us, though.

We're about the same height, and last time we were together, we were accused of being twins.

The younger one is the tall one, by the way. He grew; we didn't.

Anyway, I told Cynthia to let me know after she opened the box. She called a few minutes later.

"It's alive!" she shouted. "It looked at me. It moved."

She said when she opened the box, all she saw was something that looked dead and



Steve Haynes

• Along the Sappa

black. That turned out to be seaweed, and not the edible part of the package.

The eye was attached to one of two huge lobsters, 2 1/2-pound monsters. Once the seaweed was pulled back, both of them sat there, looking at us. I've seen bigger, but only at an aquarium.

I thought this was good news for me, since Cynthia doesn't eat shellfish.

We'd planned on steak for dinner, but it was obvious someone would have to sacrifice. Even today, lobsters don't last forever.

I can remember my dad ordering lobsters for a party once. They came by Railway Express, shipped in a wooden barrel, packed in ice, salt and seaweed. And if they came on time, you could eat them.

Today, a simple cardboard box with a frozen jell-pack insert suffices to get the little monsters cross country overnight. They were practically smiling and waving in there, nestled in that seaweed.

"Guess we'll have to cook them tonight," I

said. "Can you make yourself a grilled cheese or something?"

She agreed, and I got out the big stock pot. It seemed a shame to just cook the boys, but they weren't going to last. You really can't keep them as pets, though that'd be kinda cool.

So into the hot water they went. Oh, and talk about good, with a little lemon and drawn butter....

But I did find out that I can't eat a whole 2 1/2-pound lobster by myself. At least, and still move. I gave up with half the tail remaining.

Cynthia said she'd make me lobster Newberg for dinner the next night - she doesn't like shellfish, but she does love to cook - and that made dinner and lunch. Sunday, I made lobster salad with lots of celery, and that made two lunches. So, five meals in all.

I found out later that my sister got her lobsters out and terrorized the office with them. She doesn't eat them either, but she had fun, and her boys took care of her share.

Now, what to send little brother for Christmas next year. We've given him hams and coffee, but maybe something alive? A couple of nice free-range chickens, perhaps?

After all, he once sent us a dog by airmail. But that's another story.

Steve Haynes is president of Nor'West Newspapers. When he has the time, he'd rather be reading a good book or casting a fly.

'Hard facts' point to jobs for prosperity

The "Weekly Five Hard Facts" is a good place to start my commentary:

- Last year, Kansas set a record for job creation by adding 16,000 jobs to the private sector.

- The goal in reducing the state income taxes is to stay on a path that promotes our state's prosperity and continues to care for its residents.

- Nationally, state budgets average 35.3 percent for education spending per student.

- Long-term budgeting is the best way for our state to prepare for the future, and to ensure the state's vital services are receiving the funding needed to support the people of Kansas who need assistance.

The first Wednesday of the session, the Senate passed a Pay-Go provision. This would require a two-thirds vote to consider any amendment to appropriation bills which would increase its total cost. This may help to keep not-so-serious spending amendments out of budget bills at the end of the session. There are generally "gotcha" amendments that are used for re-election purposes at the session's end.

This year brings new and different responsibilities. I have served the past eight years on the Federal and State Affairs Committee, and this year I will be chairman. I am blessed to have two excellent staff members to guide me. Carole McFarland is my new office secretary



Ralph Ostmeyer

• Statehouse Outlook

and Connie Burns is my new committee secretary.

"Uncork Kansas" will again be considered with the hope of prevailing this time. This is the 13th year that this issue has come up. Also in the hopper are a couple of "trailer" bills to fix minor problems with the big liquor bill pushed through last session. There have been more than bills filed about various issues so far in Federal and State Affairs.

This past week in Natural Resources, Sheila Ellis and Jill Hansen testified about prairie dogs and black-footed ferret populations in Logan County. I was pleased with the research and facts presented to our committee. It is always better to have someone testify who is close to the problem or issue. I hope someday to see this problem resolved. This really has been an economic drain on farmers whose land is adjacent to these prairie-dog towns.

I welcome students to come to Topeka to page for me. They can call my office at (785)

296-7399 and set up a date with my office secretary, Carole. Monday is the day I am allotted because of the time and distance needed to travel.

I would encourage everyone to come and see the beauty of the Capitol, the People's House. All legislative offices and committee rooms are again under the dome.

Both chambers, the Senate and the House, are under conservative leadership. I hope that this will lead to a timely session that stays under the allotted 90 days.

Gov. Sam Brownback mentioned in his State of the State address he would consider placing the Department of Transportation and the Turnpike Authority under the same umbrella. This issue has been mentioned many times in the past. There would seem to be a savings, but I am not sure how much.

I will keep you abreast of the issues facing the Legislature this session and especially those coming before the committees on which I serve: Agriculture, Natural Resources, Federal and State Affairs and Education.

I can be reached by writing to Sen. Ralph Ostmeyer, State Capitol, 300 SW 10th Street, Room 136-E, Topeka, Kan., 66612, or call (785) 296-7399. My e-mail address is Ralph.Ostmeyer@senate.ks.gov.

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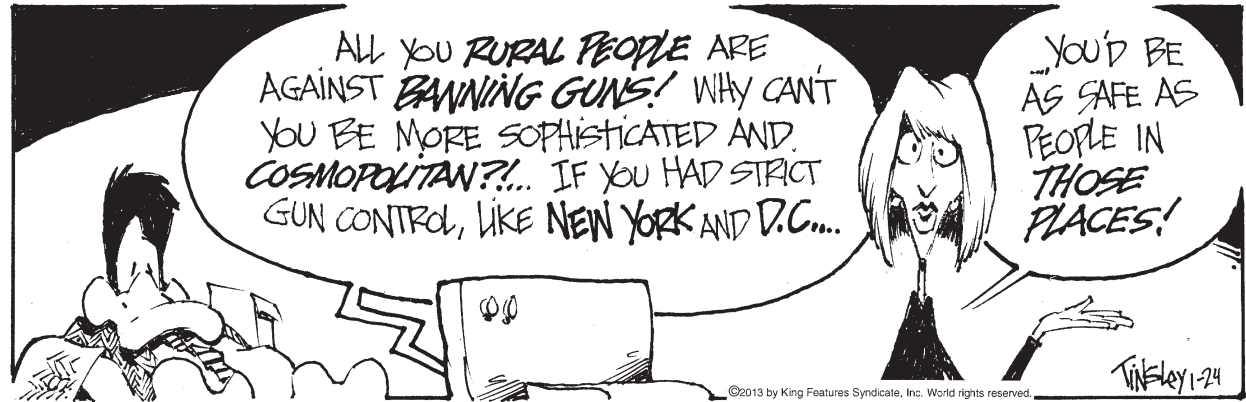
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Mallard Fillmore

• Bruce Tinsley



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