

Other Viewpoints

Close the loophole on drinking drivers

The Kansas Senate should make short work of passing, and Gov. Sam Brownback should make short work of signing, a bill that proposes to amend the state's laws on driving under the influence.

House Bill 2218 already has been passed unanimously by the House and should receive similar treatment when it goes to the Senate floor.

The bill will make it clear a motorist who refuses a field sobriety test after being legally stopped for a nonalcohol-related violation can be arrested for driving under the influence and the motorist's license can be revoked by the Kansas Department of Revenue.

New language is required in the wake of a 2012 Kansas Supreme Court decision in a case in which a motorist was stopped for driving on a suspended license then, after officers detected the smell of alcohol, refused to take a sobriety test. The driver was charged with driving under the influence and his license was revoked.

In its decision, however, the Supreme Court noted the driver's refusal to submit to the sobriety test was inadmissible because current law says a driver must be specifically arrested for an alcohol- or drug-related driving incident before officers can request testing.

It's unknown how many drivers have been stopped for one reason or another and then required to submit to sobriety or drug testing when officers suspected they had been drinking or using drugs. That's not the issue here. Law enforcement officers, due to an earlier Kansas Court of Appeals decision, have been working for years under the assumption the procedure was in line with state statutes.

Now that everyone knows that's not the case, it's time to amend driving under the influence laws to give law enforcement officials the authority they need to remove drunken drivers from our highways, streets and roads.

Ed Klumpp, a former Topeka police chief and now legislative committee chairman of the Kansas Association of Chiefs of Police, in testimony on the proposed bill said drunken drivers are accountable for their actions regardless of the reason for the initial arrest.

Establishing whether the person was operating the vehicle while under the influence should be the ultimate goal of the statute, even if that information is gathered after a lawful arrest for another charge, Klumpp said.

Exactly. Drunken drivers across the country are responsible for a heavy, annual toll of death, injury and property destruction. Everyone should want our law enforcement officers to do everything within their power to get them out of the driver's seat whenever possible.

For now, the Kansas Supreme Court's ruling effectively limits law enforcement efforts to combat drunken driving. It's important that our Legislature and governor amend the driving under the influence laws so law enforcement officers can do their jobs.

— The Topeka Capital-Journal, via the Associated Press

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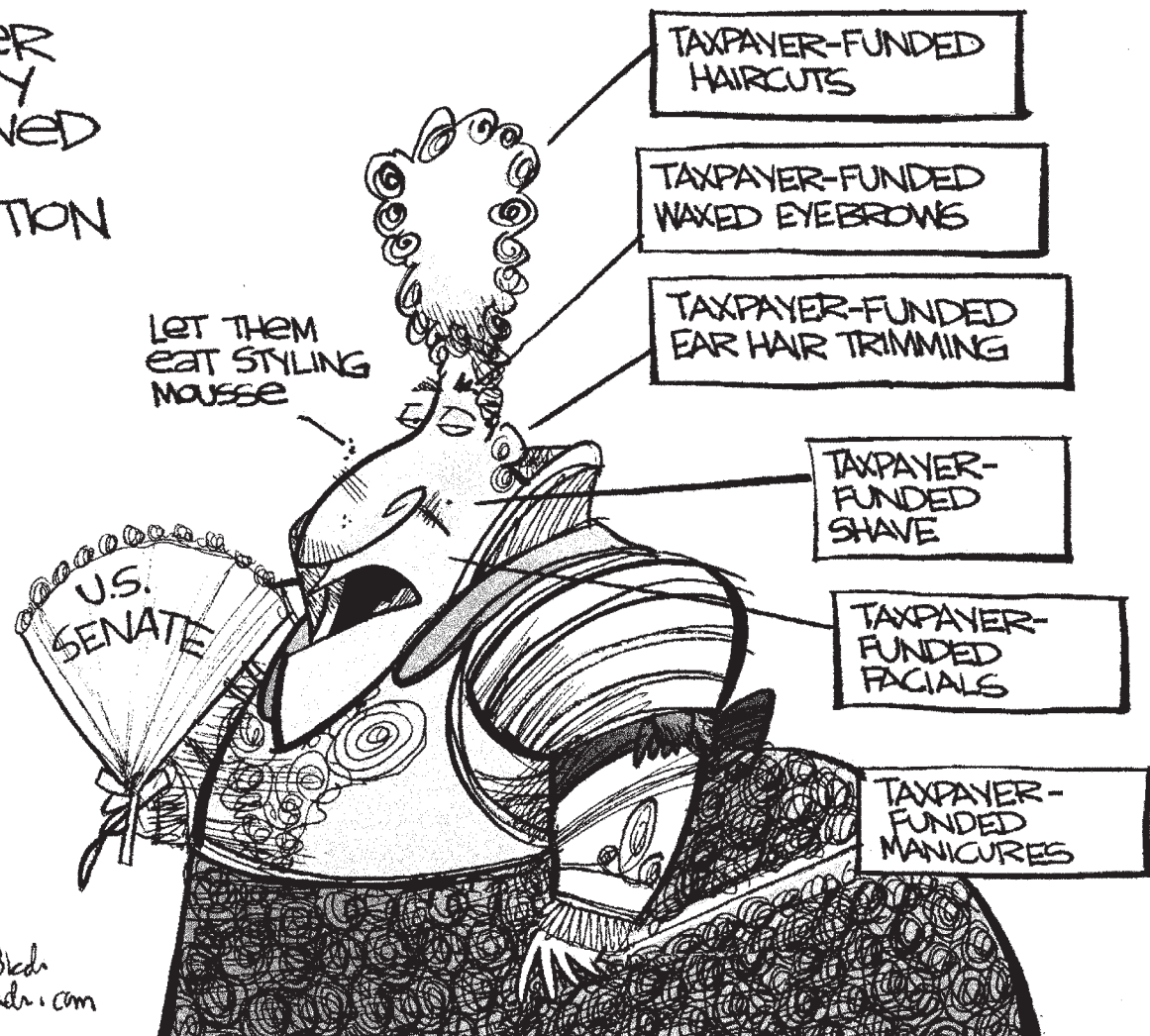
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ITEM: BARBER AND BEAUTY PARLOR SAVED FROM SEQUESTRATION CUTS...



Corporate farming offers opportunity

For farm and ranch families across Kansas, the corporate farm bill being worked in the Statehouse represents a unique opportunity to access new markets, diversify operations and attempt a new strategy to invigorate rural communities and offer young people a rural alternative.

While no piece of legislation is likely to address all of the issues of out-migration or depopulation, removing the real or perceived hurdles to bringing a new business venture online can encourage growth in the industry and, in turn, attract jobs and residents to rural communities.

The new proposed corporate law could provide diversification to economies, better markets to producers and a brighter future for families who want to continue to live and thrive in rural Kansas.

Kansas is now one of just nine states in the country that prohibit or restrict certain farms from doing business in the state. Courts have struck down the corporate farming restrictions in three of those states.

The Sunflower State now lists 18 exemptions that allow corporations to engage in production agriculture in Kansas. Even with these exemptions, agribusiness, hog, dairy and poultry producers have approached Kansas about the possibility of locating here, only to learn that current corporate farming laws would hamper their ability to operate efficiently, or



John Schlageck

• Insights
Kansas Farm Bureau

at all. Many of these economic opportunities are modern, efficient, environmentally-sound corporate citizens.

A crucial part of this story remains the privately-held farms in Kansas. When comparing land values from 15 states, both with and without corporate farming restrictions, there was no correlation between land values and restrictions on corporate farms.

Also, the size of farms in Kansas was compared to eight states without corporate farming restrictions. Kansas ranked second largest average farm size at 702 acres. The number of smallest farms among these eight states grew 5.24 percent compared to .35 in Kansas, and the number of large farms grew 55 percent, compared to 110 percent in Kansas.

Our current law has restricted this state's ability to attract and capitalize on the potential in Kansas and to capture the opportunity to keep families on the farm and rural communities alive and well. For many years we've simply watched as farm consolidation occurred

and rural communities ceased to exist.

Farmers and ranchers look at real numbers and real value, not emotional, unsubstantiated arguments. It's also why they support existing requirements for environmental measures that ensure they leave the land better than when they began caring for it.

In today's global economy, Kansas will continue to struggle if we as a state fail to embrace concepts of free and open markets. This is a concept farmers and ranchers have long supported.

A change in the law will open our state to new development by removing barriers for entering, or in some cases remaining, in business in Kansas. It will allow multi-generational family operations to continue to work in Kansas instead of imposing a system in which future generations may be ineligible to own or operate the farm or ranch.

Farmers and ranchers want nothing more than to leave a legacy for the next generation of producers. They want to do everything possible to encourage them to stay on the farm without challenge from an outdated law.

John Schlageck of the Kansas Farm Bureau is a leading commentator on agriculture and rural Kansas. He grew up on a diversified farm near Seguin, and his writing reflects a lifetime of experience, knowledge and passion.

Teacher's unions not the bad guys

Using teachers as the latest scapegoat in school reform and state financing, legislators in many states, including Kansas, are moving in various ways to cut the last vestiges of teachers' bargaining power.

Some folks hold an image of teachers as ready to strike, and teacher unions as protectors of incompetent teachers. They fear Kansas might face a Chicago-like strike. Or that incompetent but tenured teachers will be allowed to lounge in "rubber rooms" as in New York.

But Kansas is not Chicago and our teachers, similar to firemen and police, are considered as providers of vital services and cannot strike. And Kansas is not New York; we have no tenured teachers passing time doing nothing.

Another straw-man argument contends that it should be easier for school administrators to fire incompetent teachers. But it takes a competent administrator to dismiss an incompetent teacher. If there are incompetent teachers in the classroom, then either the administrators are incompetent, or there is no surplus of good teachers to replace them and administrators have no option.

So just where does Kansas rank in the level of teacher's union power? The Nov. 7, 2012, edition of *Education Week* published a summary of the findings of a study by the Thomas Fordham Foundation and the advocacy group Education Reform Now on "How Strong Are U.S. Teacher Unions? A State-by-State Comparison."

Ranking of union power was based on five factors: 1) number of members and financial resources, 2) involvement in politics, including contributions to candidates and parties, 3) scope of collecting bargaining and right to strike, 4) alignment of union positions on workplace rules to state policies and 5) perceived influence based on key stakeholders.

Adding up scores, the states were grouped in five categories: Strongest-Strong-Average-Weak-Weakest. Kansas was in the next-to-bottom set of "weak" teacher union states. But with no right to strike, and with most Kansas schools being small and closer to extended families than business operations, this ranking is not unexpected.



John Richard Schrock

• Education Frontlines

Wisconsin Gov. Scott Walker notoriously shut down statewide collective bargaining for public employees. But just as Kansas is not Chicago or New York, it is not Wisconsin.

Kansas teachers negotiate with their individual districts. This takes into account that a lower rural teaching salary may be offset by lower costs of living, etc.

When I talk with my high school-biology-teaching colleagues who are involved in their district's negotiations, it is apparent that when it comes down to the wire, the only leverage they have is public opinion. When teacher pay or benefits are so low as to be pitiful, only public shame can prompt change.

In Kansas, if a dispute over salary cannot be settled, it is the school that wins. The old contracts continue into the next year and it is the burden of non-returning teachers to submit a resignation or swallow the loss from higher costs of living. Kansas teachers are among the most vulnerable in the nation.

If there is no genuine problem with tenured

incompetence or negotiation or political activity, then why the mean-spirited legislation?

Following the Wisconsin governor, legislators nationwide are on a school privatization bandwagon. Advocating vouchers and shifting funding to charter schools, there is a herd of folks who think that private competition will somehow improve education. Therefore, suppressing public schools and professional teachers helps move that direction.

In business, there is a saying: "You are not paid what you deserve. You are paid what you negotiate." Take away any ability to negotiate, and teachers are left in "wage slavery," an older term for lowering salaries and benefits and schools telling teachers: "Take it or leave."

Legislators who support such "Grapes of Wrath" legislation lack respect for the teaching profession. It should not be surprising if respect for these legislators also continues to drop further, assuming that it can.

John Richard Schrock, a professor of biology and department chair at a leading teacher's college, lives in Emporia. He emphasizes that his opinions are strictly his own.

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