

from our viewpoint...

Legislative sessions could be full-time

Full-time Legislature. There. That ought to scare the pants off of most Kansans. If it doesn't, it should. As a group, if the legislators can't make a mess out of things in 90 days, how could we expect more in a full year? Minus time off for campaigns, of course. Yet, faced with the growing complexity of the state budget, some members are talking about extending their time in Topeka. It's like a group of convicts getting together to extend their sentences.

Are we sure we're ready for that? There's the old saw, purportedly written by a New York judge: "No man's life, liberty or property are safe while the legislature is in session."

Conservative Kansas lawmakers are frustrated by continued growth in the state budget, though. The budget has grown by a factor of 10 every generation since the state was founded. Still, the Associated Press reported, the budget didn't hit \$1 billion until 1974. It has doubled since 1993, when it was just \$6 billion.

Last week, House members revolted when asked to pass a \$304 million supplemental appropriation. Some claimed it would run state surpluses below the required 7.5 percent and threaten a cash crisis.

With spending already near \$12.5 billion and growth in the general fund estimated at more than 8 percent, killing the supplemental seems largely like closing the barn door after all the live-stock have fled.

That's what bothers the anti-spenders. They feel helpless dealing with a budget that's too big and too complex to control. Mostly, the Legislature just takes what the governor has sent over and quibbles about a few programs. Only the appropriations committees see the whole picture, if anyone does.

Adding time to the session won't help much, not when most major decisions are put off until the late hours of the last few nights. Budget bills are cobbled together in conference, then rolled out for the troops, tired and ready to go home, for a vote.

At that point, a lot of real bad legislation gets pushed through, but especially the big spending bills which wrap up the budget. Sure, they've been debated and examined since January, but when the whole ball of wax rolls out the final week, no one — save maybe a few conference members and some lobbyists — really knows what's in there.

That's one big reason the jackpot keeps growing at roughly 8 percent every year.

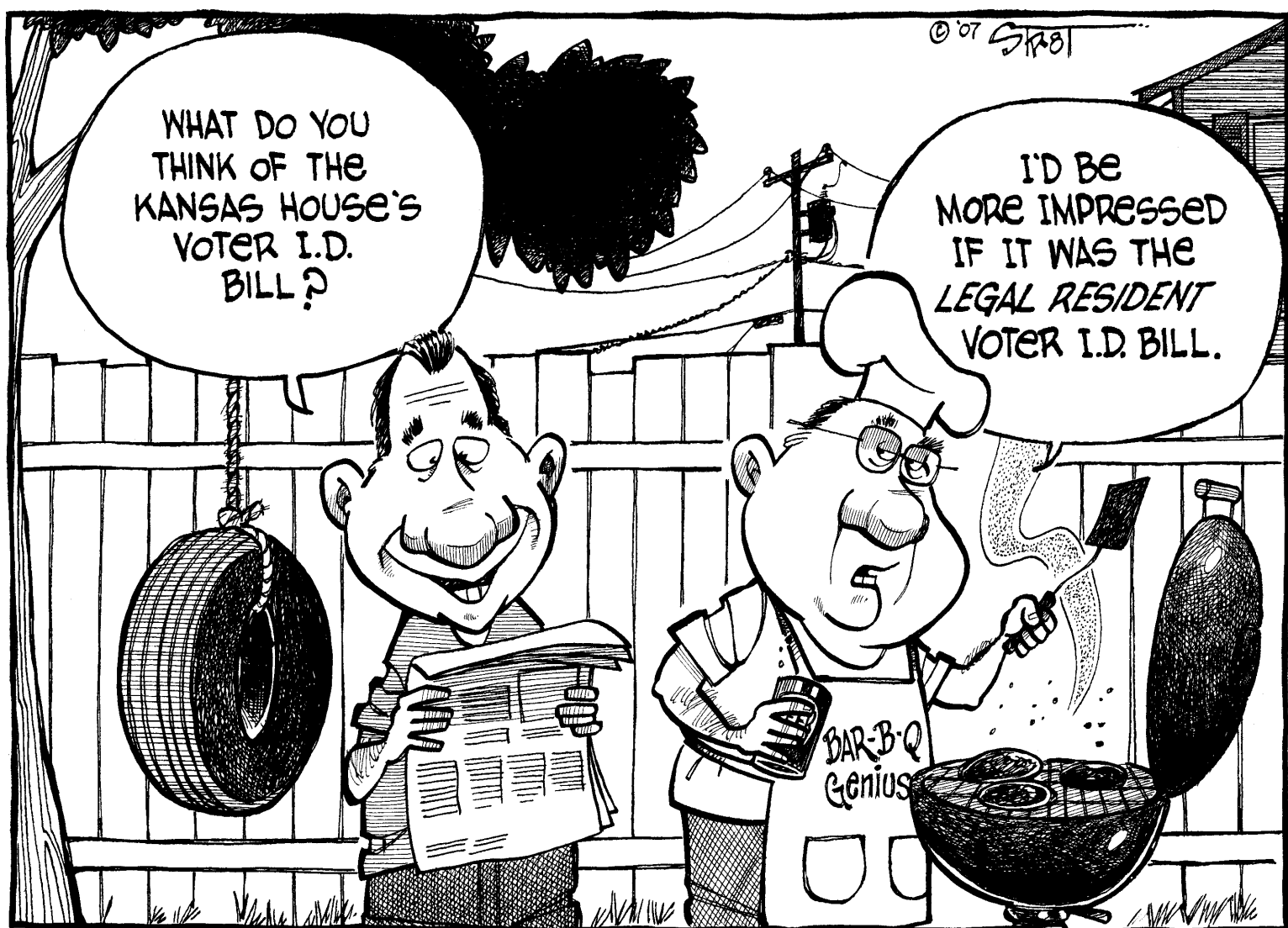
A lot of other bad bills come about that time — witness the one legalizing casino gambling this year, supposedly to raise revenue for still more state spending. The Legislature should have a rule that no bill can come to the floor without full and open committee hearings, but we digress. The issue here is spending.

What the Legislature should do is set a spending limit and trim the budget to fit that. Every program has its friends, though, making real cuts real tough.

What the Legislature probably will do is extend the session, study more and keep voting for bigger budgets every year.

Legislators talk about working "to curb the growth in spending." No one talks about cutting the budget.

And guess who gets to pay the bills? — *Steve Haynes.*



Kansas territory changed balance of power

Did you know Kansas was supposed to be a slave state?

As Steve got ready to leave for a conference on rural journalism in Kentucky, he did a little homework to see what the weather would be like. While he was looking at the map, he noted something we all learned in school but most of us had forgotten.

Kansas is south of the infamous Mason-Dixon line, which was used to separate free and slave states.

Although Charles Mason and Jeremiah Dixon thought they were only settling a land dispute in 1763 when they surveyed and marked their famous line dividing Pennsylvania from Maryland and what was then Virginia (now West Virginia), their "line" became the boundary between North and South in the republic's struggle to grow and keep a balance between the free and slave states.

For many years the states came in one slave and one free so that the delicate balance would be maintained — Vermont, free in 1791; Kentucky, slave in 1792; Tennessee, slave in 1796; Ohio, free in 1803; Louisiana, slave in 1812; Indiana, free in 1816; Mississippi, slave in



cynthia haynes

• open season

1817; Illinois, free in 1818; Alabama, slave in 1819; Maine, free in 1820; Missouri, slave in 1821; Arkansas, slave in 1836; Michigan, free in 1837; Florida and Texas, slave in 1845; Iowa, free in 1846; and Wisconsin, free in 1848.

Then gold was discovered in California and the country scrambled to bring it into the union in 1850 before some other country could claim the valuable territory. Minnesota was accepted in 1858 and Oregon in '59, both free states.

Despite this, many southerners thought Kansas would come in as a slave state — as envisioned in the great Missouri Compromise — and help restore the balance of power.

Abolitionists, many from New England, had other ideas. They flooded into the Kansas territory and set up shop before their pro-slavery brothers, mostly from Missouri, had a chance

to move in. Thus began the border wars, the era of "Bleeding Kansas" as pro- and anti-slavery forces fought for control of the territory and worked to shift the balance of power one way or another.

In late 1857, the territorial Legislature adopted the Lecompton constitution making Kansas a slave state. However, by January 1858 the constitution had been struck down by free staters and Lecompton not only didn't get to keep its constitution, it lost the capital to Topeka.

Kansan John Brown thought he could free the slaves by arming them and thus he and a band of followers attacked the U.S. arsenal at Harpers Ferry, Va., on Oct. 16, 1859, to take the weapons stored there.

Kansas gained statehood on January 29, 1861, and by April 12, Confederate forces attacked a U.S. military installation at Fort Sumter, S.C., guarding the mouth of Charleston harbor, and the Civil War began.

Kansas was never a slave state, but being south of the Mason-Dixon line, we can legitimately consider ourselves "southern."

Well, now I can use that southern accent I've been practicing.

Quick review of Legislative actions

Here's a quick review of action in the Kansas Legislature:

Senate Bill 66 — Expanded Gaming and Lottery Extension: Following a historic 12-hour filibuster, the Senate voted 21-19 to concur with the House and send to the governor a bill that will allow construction of up to four casinos in Kansas and installation of slot machines at the state's three horse- and dog-racing tracks. The bill would impose a 25-year moratorium on any further expansion of gaming. The possible casino locations, each subject to local voter approval, are Wyandotte, Sedgewick or Sumner, Ford, and Crawford or Cherokee counties.

Senate Bill 244 — Funeral Picketing: 123 Representatives and 40 senators agreed sending to the governor a bill creating the Kansas Privacy Act. Once in force, this act will prohibit persons from engaging in picketing or a directed protest within 150 feet of any entrance to any cemetery, church, mortuary or other location where a funeral is held or conducted. The prohibition would be effective within one hour prior to, during, and two hours following the commencement of a funeral.

Public demonstration will be prohibited from blocking entries or exits from a funeral or impeding vehicles which are part of a funeral procession. The bill will not go into effect until after the Kansas Supreme Court or a federal court upholds the constitutionality of its provisions. The attorney general will be required to go to court on the constitutionality of the bill. This eliminates the chance of a group or individual suing the state claiming their right to free speech has been impeded and creating the opportunity for them to be awarded attorney's fees at the state's expense.



ralph ostmeyer

• state senator

House Bill 2062 — Alexa's Law: On a vote of 26 to 14, the Senate approved amending Alexa's Law into another criminal bill. Alexa's Law would define an "unborn child" as a "person" against whom certain crimes could be committed. The effect would be to allow prosecutors to bring separate criminal charges against people who commit crimes against a pregnant woman, one charge for the crime against the pregnant woman, and another for the crime against her child. The bill contains a provision making clear that it does not apply in cases of abortion or other medical procedures.

HB 2437 — Big Game Permits: Culminating two years worth of work by the Kansas

Department of Wildlife and Parks deer task force, the Senate voted 36-4 to allow the secretary more flexibility in issuing big game and wild turkey hunting permits to Kansas residents and family members of landowners and tenants.

The bill specifically allows more hunt-on-your-land permits to be issued and more clearly defines who is a family member of a landowner or tenant eligible for hunting permits. The bill further allows greater flexibility in managing nonresident hunters, setting permit numbers based on a biological and societal formulation rather than an arbitrary percentage, and allows them to designate the season and type of permit they desire.

Lastly the provisions give the secretary greater flexibility in determining permit types for residents and landowners that offer more opportunities in the field while still maintaining the biological balance and age structure necessary to manage the deer herd within tolerances.

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