

from our viewpoint...

Bill could cripple our home carnivals

Here's hoping area legislators can do something about a bill requiring new regulations on rides which might put many of northwest Kansas' home-owned carnivals out of business.

The bill passed late in the session without the usual notice or a chance for public hearings. Carnival operators had little or no warning, and no chance to tell legislators how these citizen-run operations would be affected.

In fact, the measure, pushed by Rep. Tom Sloan of Lawrence, has failed every time it's gone through the committee process.

Some of the bill's provisions included a rule that rides would have to be inspected 30 days before they could operate, employees would have to be trained and certified and operators would need to carry \$1 million in liability insurance.

Members of the Decatur County Amusement Authority in Oberlin were shocked that the Legislature would do such a thing without looking into the consequences. It's just another example of a government "mandate" that "sounds like a good idea" when presented but in practice causes all kinds of problems.

State officials like to complain when the federal government does this to them, but the state itself is capable of all sorts of mischief.

This bill apparently was buried early in the session, then at the last moment was slipped into a vaguely related measure and rushed through the process in the final days of the session. Area legislators say they had no idea what was happening or what kind of problems this "good idea" might cause. One apparently was assured the law wouldn't affect nonprofit, home-owned carnivals.

That makes it just another example of the kind of awful work the Legislature sometimes does in the closing days, when everything is rushed and now one has time to read the details.

It's possible no one intended to put the home-owned carnivals out of business. It's also possible some slick lobbyist for traveling carnivals had just that in mind. Or maybe the whole thing is just a misguided attempt to make us all safer.

The thing is, there is no evidence at all that home-owned carnivals are dangerous. To the contrary, the ones out here have good safety records.

Because they operate only a few days out of the year, using volunteer labor, it would be next to impossible to have them inspect the rides, let alone get the hundreds of volunteer operators in each county out for training and testing beforehand.

And a million-dollar insurance policy could prove far too costly for the charitable groups that run these carnivals. The Decatur County group is paying \$9,000 per year now for only \$500,000 in insurance.

This is just a bad deal all the way around. We could wind up losing our fun-filled, family oriented carnivals, have no way to replace them, and all for nothing.

This law needs to be changed, and soon. Colby's Rep. Jim Morrison is preparing a fix.

But beyond that, the Kansas Legislature needs to put itself under rules that require real hearings for all bills and forbid late-night, last-minute passage of law no one has heard about, or worse yet, died in committee for good reason.

That's just government at its worst, and the legislators ought to put a stop to such practices. — Steve Haynes



I love listening to the sounds of nature

Did you noticed how noisy it was last week?

Walking around town at midnight, it was almost impossible to hear what Steve was saying.

Yeah, I know, most people don't take their walks at midnight, but sometimes, that's the only time we have to get out, stretch our legs, take the dog for a walk and enjoy a summer evening.

Last week, the crickets were chirping; the cicadas were singing; a bunch of calves, recently separated from their mothers, were bawling; and an owl was screeching in the tree tops. There might have been a whole pond of frogs croaking their hearts out, but I couldn't hear them over the other noises.

It was deafening — and I loved it.

Even when I got home, with the window open in the bedroom, I could hear a persistent buzz. It was low and indistinct — more of a background noise — but constant and sort of soothing.

Summer is winding down, and the critters are



cynthia haynes

• open season

in full voice, calling to mates and momma.

I really love this time of the year. The days are warm and the nights are cool. The tomatoes are ripe. The zucchini is ready for locked cars. The green peppers are ready for stuffing. And the cats stay outside all day long, enjoying the sun.

The only real drawback to late summer — it's not really fall yet — is the imminent approach of cold weather.

Cold weather will mean the end of my summer symphony. During the cold months, the insects are gone, the frogs are hibernating and most of the birds have gone to warmer climes. Even the calves will have gotten over being lonely.

But for now, we sit on the back porch and

listen to the Rockies on the radio, take in the summer music and keep an eye on our six- and eight-legged pets.

Grizelda, the orb-spinning spider, spins a beautiful web between the pillars of the porch while Mandy, the praying mantis, stalks the railing looking for prey.

Mandy's been with us all summer. He rode into the house on both Steve and I in early summer. We spotted him and carefully returned him to the wilds of the backyard. He was just an inch and a half long in those days. Now he's a good three inches of lean, mean, bug-eating machine, just the kind of pet a gardener needs.

The toads I captured around town earlier in the year and transported to my garden are gone now, off perhaps to find a nice puddle to lay their eggs in and a nice muddy spot to burrow into for a long winter's nap.

Wish I could do that, but it won't happen until after the end of tomato, zucchini and green pepper season.

Feingold's hearing to Restore Rule of Law

While much of the media was endlessly repeating the same stories ad infinitum about the presidential candidates, the financial crisis or covering the latest O.J. Simpson trial, something encouraging actually took place in Washington, DC. Senator Russell Feingold (D-Wisc.) held a hearing before the Constitution Subcommittee of the U.S. Senate Judiciary Committee on "Restoring the Rule of Law."

Specifically, Feingold asked those testifying to provide ways the next president can rescind some of the powers assumed by George W. Bush during his presidency. I was one of those asked to submit testimony.

Here is an excerpt from that testimony (the complete transcript can be read at <http://feingold.senate.gov/ruleoflaw/testimony/rutherford.pdf>):

Over the course of the past seven years, Bush has expanded presidential power to allow government agents to, among other things, open the private mail of American citizens, assume control of the federal government and declare martial law, as well as to secretly listen in on the telephone calls of American citizens and read our e-mails. Bush has declared that if he disagrees with a law passed by Congress, he can disregard it. The Bush Administration has repeatedly placed itself above the rule of law in order to justify warrantless wiretapping, the detainment and torture of individuals captured in the war on terror, excessive government secrecy, and claims to executive privilege, among other egregious acts.

This increase in presidential power has been largely carried out under the Bush Administration by way of presidential directives, executive orders and stealth provisions used as a means to lay claim to a host of unprecedented powers. Executive orders remain extant and can be used by future Presidents.

As the various branches of government overstep their authority, it is ultimately up to the people to hold them in check. Congress, as our appointed representative, is the first line of defense. In this regard, Congress has failed in its duty to hold the government — viz, the executive branch — in check. Thus, if there is any hope for restoring the rule of law, it must begin with Congress.

Unprecedented abuse of presidential powers presents a clear and present danger to our country. Each branch of government profits from scrutiny and questioning by the other branches. Because time is of the essence, the necessarily slow-moving judiciary impels Congress to take the lead as the only branch able to hold the executive directly accountable.



john whitehead

• rutherford institute

The rule of law cannot be restored without open and transparent government. Thus, it falls to Congress to check the executive branch when it overreaches its authority. At the least, Congress should immediately move to rescind all executive orders that undermine the rule of law, first by resolution and then by the passage of legislation. Congress should also immediately declare that signing statements such as those used by the Bush Administration to circumvent the law are to be regarded as nothing more than executive commentary and not, as has been the case, as policy.

No single legislative act will substitute for constant vigilance by our congressional leaders. Toward this end, the President should be required to face direct and public questioning from members of Congress on a regular basis, not unlike the practice employed weekly in the British House of Commons, wherein the Prime Minister is called upon to respond to questions from Members of Parliament on any issue. This would serve to hold the President and government to account in a visible way, while acting as a constant reminder that the President is both a citizen and a temporary occupant of office. At a minimum, the President should meet with congressional leadership from key committees on a regular basis. The executive branch must not be permitted to exercise arbitrary authority under the pretext of national security, as has been the Bush Administration's practice. It is especially important that congressional leaders be fully briefed on matters of national security: government by stealth is incompatible with the rule of law.

In order for this to be an effective safeguard, however, Americans must have a clear understanding of their history, the workings of their government, and a thorough knowledge of the Constitution. For this reason, constitutional literacy on the part of the American people, whether or not they are public servants, must be an integral part of the remedy if we are to restore the rule of law in this country.

It is understandable that many Americans feel overwhelmed, powerless, and discouraged in the face of the government's expansive powers, seemingly endless resources, and military might. Even so, that is no excuse for standing silently on the sidelines. American citizens

remain our final hope for freedom. Fear, apathy, and escapism will not carry the day. It is within our power to attempt (in a nonviolent way) to make a difference. To this end, Americans must be willing, if need be, to dissent and in so doing speak truth to power. Such citizen participation has often been discouraged, either directly or indirectly, by the Bush Administration. However, Congress should encourage such efforts by way of resolution and/or legislation where necessary.

How best to stop tyranny from triumphing was the central question informing the Constitution and the Bill of Rights. The Constitution provides us with the blueprint for maintaining a balanced republic, and it must always be the starting point. However, each of us, from public officials to citizens, has an affirmative duty to hold our government accountable. It is here that the media has a vital role to play. With its ability to monitor government activity and report to the people, the media serves a crucial role as watchdog in helping to safeguard against abuses of power. Unfortunately, White House briefings and presidential news conferences have become increasingly scripted, ritualized, and lacking in substance. Yet these and other evasive tactics do not absolve the members of the Fourth Estate from doing their jobs, just as entertainment distractions, a dismal economy, and threats of terrorist attack should not keep us from playing our part, as citizens and as public officials.

In the end, however, it is still "we the people" who hold the ultimate power, and with it the concomitant responsibility, to maintain our freedoms. We can afford to remain silent no longer.

Constitutional attorney and author John W. Whitehead is founder and president of The Rutherford Institute. He can be contacted at johnw@rutherford.org. Information about The Rutherford Institute is available at www.rutherford.org.

The Goodland Star-News

(USPS No. 222-460. ISSN 0893-0562)

Member: Kansas Press Association

Inland Press Association Colorado Press Association
National Newspaper Association

e-mail: star-news@nwkansas.com

Steve Haynes, President
Tom Betz, Editor
Pat Schiefen, Society Editor
Sharon Corcoran, Reporter
Advertising Dept.

Jordie Mann, Iris Clemons, Jessica Corbin,
Sheila Smith, Office Manager



Nor'west Press

Jim Bowker, General Manager

Richard Westfahl, Betty Morris, James Jackson

Lana Westfahl, James Ornelas, Tasha Shores

Barbara Ornelas, Elizabeth Brock, Judy McKnight



nwkansas.com

N.T. Betz, Director of Internet Services
(ntbetz@nwkansas.com)

Evan Barnum, Systems Admin. (support@nwkansas.com)

Published every Tuesday and Friday except the days observed for New Year's Day, July 4th and Christmas Day, at 1205 Main Ave., Goodland, Kan. 67735.

Periodicals postage paid at Goodland, Kan. 67735; entered at the Goodland, Kan., Post Office under the Act of Congress of March 8, 1878.

POSTMASTER: Send address changes to The Goodland Star-News, 1205 Main Ave., Goodland, Kan. 67735.

TELEPHONE: (785) 899-2338. Editorial e-mail: star-news@nwkansas.com. Advertising questions can be sent to: goodlandads@nwkansas.com.

The Goodland Star-News assumes no liability for mistakes or omissions in advertising or failure to publish beyond the actual cost of the ad.

SUBSCRIPTIONS: In Sherman County and adjacent counties: three months, \$29; six months, \$46; 12 months, \$81. Out of area, weekly mailing of two issues: three months, \$39; six months, \$54; 12 months, \$89 (All tax included). Mailed individually each day: (call for a price).

Incorporating:

The Goodland Daily News

1932-2003

The Sherman County Herald

Founded by Thomas McCants
1935-1989

THE SHERMAN COUNTY STAR

Founded by Eric and Roxie Yonkey
1994-2001

Nor'West Newspapers

Haynes Publishing Company

Letter Policy

The Goodland Star-News encourages and welcomes letters from readers. Letters should be typewritten, and must include a telephone number and a signature. Unsigned letters will not be published. Form letters will be rejected, as will letters deemed to be of no public interest or considered offensive. We reserve the right to edit letters for length and good taste. We encourage letters, with address and phone numbers, by e-mail to: star-news@nwkansas.com.