

from our viewpoint...

University did well to end payroll fight

At least the University of Kansas has the sense not to drag about the fight over disclosing athletic salaries any longer.

KU lost, but the university's lawyers could have dragged the fight out for another year or more with appeals and motions and obfuscation.

After a district court judge ruled that the Kansas Open Records Act says what it says, though, Chancellor Robert Hemenway smiled and called a press conference.

He revealed that Athletic Director Lew Perkins is paid \$420,000 a year, plus \$100,000 a year for "media appearances," such as his weekly radio and television shows.

The director is eligible for bonuses up to \$25,000 per year if he reaches certain goals. His pay comes \$165,000 from the state budget, \$210,000 from the university's athletic corporation and \$170,000 from the Endowment Association.

And if he stayed through June 30, 2009, Perkins is eligible for a \$2.1 million "retention bonus." That's payable at \$216,000 per year if he's fired or dies before then.

"I think he's worth every penny he receives," Chancellor Hemenway said.

He may be right. University athletics is a big-time business, and Perkins was an outstanding chief executive, highly sought after, before he was lured away from the University of Connecticut.

What wasn't, apparently, in the papers released by the university was who put up the money to hire Perkins or what interests might have a stake in — or a say in — how he runs the university's program. That kind of money comes from rich alums and other who love a university. Or might have an ax to grind.

Neither is there any answer to the question of why, when KU and all Kansas state colleges are crying for money, the university was willing to waste thousands and thousands of scarce dollars fighting a lawsuit over the open records violation.

What was there about Perkins' pay, and the contracts of coaches Bill Self and Mark Mangino, that was so worth keeping secret?

There was little in the contracts as released that was news. There's not much of a matter of principle, since the wages of public employees have always been an open record.

It's true that with his base pay, Perkins makes more in a week that many low-income Kansans get in a year.

Though their \$128,000 base pay is fairly low, the coaches stand to make \$1 million a year or more with incentives and bonuses. Everybody knows sports is big business.

It's the source of the wealth, apparently hidden in athletic corporation and endowment records, that isn't showing.

That's a question the university ought to be prepared to answer.

— Steve Haynes

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The Goodland Star-News

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

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Published every Tuesday and Friday except the days observed for New Year's Day 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@nwkanssas.com. Advertising questions can be sent to: goodlandads@nwkanssas.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, \$20; six months, \$38; 12 months, \$72. Out of area, weekly mailing of two issues: three months, \$30; six months, \$45; 12 months, \$80. Mailed individually each day: 12 months, \$115. (All tax included.)

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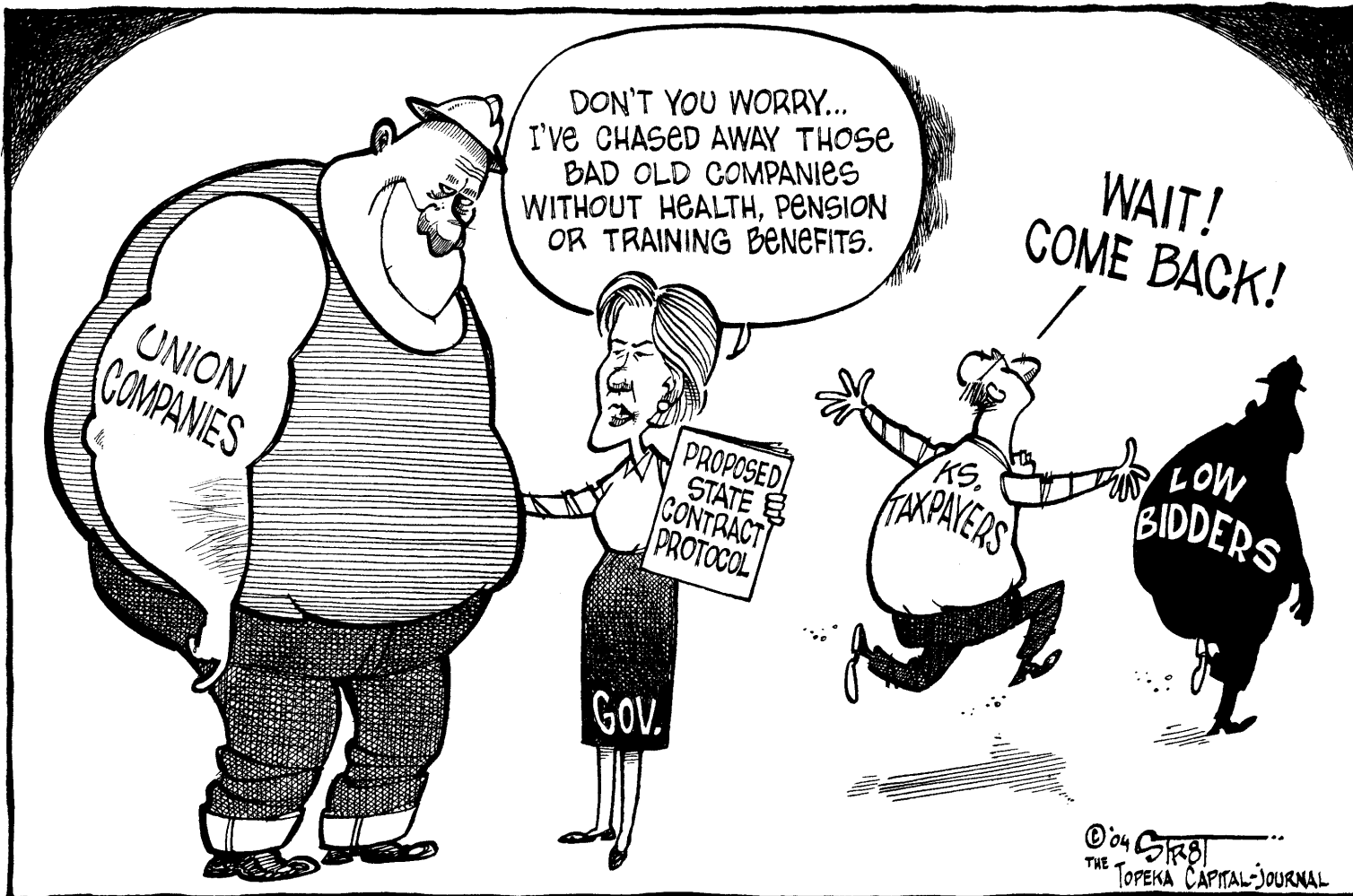
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Government wants power over media

By Paul K. McMasters

If the driver of the car next to you at a stop-light tells you to turn off the radio program you're listening to, you'd tell him to get lost.

If the next-door neighbor tells you to turn off the television show you're watching, you tell her to mind her own business.

But when these champions of decency join a group of like-minded citizens, which puts pressure on elected leaders and the Federal Communications Commission to regulate what we can see and hear on radio and television, we tend to tune out, surrendering to the notion that government knows best.

That is a dangerous notion, especially if we keep in mind just how many ways there are for our elected and appointed leaders to restrict what broadcast audiences — that's us — can see and hear.

It has been less than a year since a fraction-of-a-second glimpse of a fraction-of-a-fraction of Janet Jackson's breast during the Super Bowl halftime program brought a nation to its knees in apparent shock and disbelief — and political candidates to their feet in thinly disguised joy at such a great issue to exploit during a campaign season. Under pressure from Congress and special-interest groups, the FCC launched a campaign to cleanse the airwaves of "indecentcy."

But now the regulation fever has spread. The commission is exploring other ways to regulate broadcasters, all of which raise free-speech concerns.

Broadcasters in every community have been asked to respond by mid-September to commission proposals that could result in broadcasters editing or dropping programs with violence, changing their newscasts, "improving" their political coverage, and setting up an ex-

pensive process to retain recordings of broadcasts to be used against them if someone files a complaint. In addition, the agency is looking at broadcast station ownership, pushed on by reformers concerned about media consolidation.

"All of this adds up to an attempt by the FCC to further curtail the First Amendment rights of listeners and broadcasters by mandating what should or should not be programmed," says Kathleen Kirby, a Washington attorney who represents broadcasters.

The crackdown on indecency illustrates just how much some attempts to regulate broadcasters can affect our own rights. To begin with, the commission's definition of indecency is so vague that it forces broadcasters, producers and entertainers to self-censor to avoid crossing a line they cannot see. Enforcement can be capricious, unfair and uneven.

A lone individual can lodge complaints that can mire a broadcaster in drawn-out proceedings and untold costs. It may be good news to millions of fans, for example, that indecency complaints against "Buffy the Vampire Slayer" and "Will and Grace" were dismissed earlier this month, but securing that official stamp of approval came at a cost to the companies that put them on television.

The Howard Stern radio show, frequently the target of complaints, wasn't so lucky. In June, Clear Channel Communications paid out \$1.75 million to settle complaints about Stern's on-air comments. Earlier this month, Emmis Communications forked over \$300,000 to resolve complaints about indecent comments by a Chicago shock jock — and to keep the agency from reinstating complaints previously dismissed. CBS could be forced to shell out as much as \$550,000 in possible fines for the Su-

per Bowl "wardrobe malfunction."

This power to regulate speech is very seductive. There is no real limit to the quest for control, as a variety of proposals in Congress and elsewhere since the Super Bowl incident attest. Some would broaden the regulatory authority over broadcasting stations to include cable and satellite. They would extend the reach of regulation beyond indecency to violence. They would add sports and news to entertainment programming as targets of regulation. They would replace live programming with delayed broadcasting.

Is there some popular groundswell of concern driving this campaign to regulate and restrict what we choose to see and hear? It doesn't appear that way. Most of us believe that adults in their own homes make the best decisions about what to watch or listen to — for themselves and their children.

According to the First Amendment Center's latest State of the First Amendment poll, about eight in 10 Americans say that parents, not government officials, should be primarily responsible for shielding children from sexual material they don't want them to see and hear (81 percent for television and 77 percent for radio).

When a government agency, driven by whatever pressures or under its own volition, forces content and programming decisions on private broadcasters and their audiences, then that fine line between permissible regulation and unwarranted censorship is crossed.

That's when we need to send a clear message to our elected leaders that not only is all politics local, but all censorship is personal.

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Rural people need to work together

By Mark Ritchie

Prairie Writers Circle

Thomas Frank succinctly describes the heartland's economic crisis in a recent Harper's magazine essay called "Lie Down for America": "The poorest county in America isn't in Appalachia or the Deep South. It is on the Great Plains, a region of struggling ranchers and dying farm towns."

This is an old story, but Frank probes more deeply and shows that struggling rural voters, in the Great Plains anyway, have a habit of voting against their own economic interests. Frank says these voters tend to vote for politicians who have skillfully used hot-button social issues to wed them to an economic agenda that helps the wealthy and hurts the middle class and the poor.

But there is good as well. And some of it might counter the problems that Frank addresses.

All over the country there are rural innovators and entrepreneurs finding new ways to increase their "triple bottom lines" — improving their income while protecting the environment and contributing to their communities. One good example is Organic Valley, now one

of the largest dairy cooperatives in the nation. The co-op has been a pioneer in both ensuring fair prices to organic family farmers and giving major support to the communities they serve. There are hundreds of other examples at www.renewingthecountryside.org.

Equally encouraging is the dramatic surge in civic participation across small-town America, as more rural people get involved in electoral politics to preserve democracy.

The League of Rural Voters, the small-town equivalent of the League of Women Voters, this past year has held presidential candidate forums in Iowa, provided details on key policy issues and worked to register more voters and encourage them to better inform themselves. Nonpartisan but strongly in favor of independent family farmers and Main Street businesses, the League works with farm and rural community organizations to raise the profile of rural issues in the media and among candidates.

One of the League's exciting projects is the 80/55 Coalition for Rural America, which works to impress on politicians that rural areas contain 80 percent of the nation's land and 55 million people. As a founding member of

this coalition, the League is working to get key rural issues like jobs and educational parity on the political agenda. Another goal is a fairer allocation of federal money for public investments in rural transportation, health care and the arts.

The League's Main Street Project brings together rural life "champions," both in their communities and online, to examine rural America's economic challenges and to promote policies needed for a sustainable economic revival.

Perhaps most important, the League's Election 2004 project helps people find out where candidates stand and encourages involvement through the November2.org campaign.

Improving life in the rural America will take hard work and effective political action. Successful farmers and rural businesses are stoking the economic engine, while groups like the League of Rural Voters are stoking democracy. May this combination prevail.

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