

from our viewpoint...

## Time to reassess Supreme Court role

Things are out of control in Topeka. The courts are running things, not the Legislature or the governor. Maybe it's time to reassess. Sure, the courts are supposed to interpret the laws. They can strike down a law they claim is unconstitutional. That's their role in our three-part democracy. But the Kansas Supreme Court has gone way beyond that. The court ruled Friday that the Legislature is required to put up all the money specified in a 2001 consultants' report to pay for a "suitable" education for all Kansas children. That means more than doubling the \$142 million the Legislature saw fit to give schools. In effect, the court says it and the consultants will decide how much the state spends on education, not the Legislature. That's a direct affront to the authority of the Legislature to appropriate money and the governor to run the state. In a supposedly balanced three-branch government, one branch has seized power.

But you have to view the decision as part of a decades-long struggle over the school budget. Mid-sized schools, led by Salina and Dodge City, claimed they were not getting a big enough share of the state budget.

These schools lost their battle in the Legislature, so rather than going home to lick their wounds, they sued the state. To date, they've spent more than \$2 million in state money on the case. (And that alone is an affront to our democracy.)

Taxpayers the last two elections have put more and more conservatives in the Legislature, and these members have blocked nearly every move for a tax increase. That, they say, is what voters want.

The voters' will is of little consequence to the judges, however. They're appointed from lists gathered by committees, with the final choice made by the governor. Theoretically, they stand for re-election, but no one can run against them and there is little debate and less understanding of what they do.

School officials, naturally, want more money. They're willing to spend our money to sue us to get it.

Is that how we want the state to run?

Maybe it is time to rein in the courts.

One way to do that would be to return them to the political arena, where judges would once again run for office. Where those with differing views could run against them in November campaigns.

Where the will of the people would count.

Another, less drastic, suggestion would be to give the Senate the power to approve judicial appointments.

Either might make courts consider the balance of power and back off the stance that they alone know what is good for Kansas.

The present situation is crazy. — *Steve Haynes*

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Member: Kansas Press Association  
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e-mail: [star-news@nwkanssas.com](mailto:star-news@nwkanssas.com)

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[nwkanssas.com](http://nwkanssas.com)

N.T. Betz, Director of Internet Services

([ntbetz@nwkanssas.com](mailto:ntbetz@nwkanssas.com))

Evan Barnum, Systems Admin. ([support@nwkanssas.com](mailto:support@nwkanssas.com))

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## Rather stay home than ride the bus

I've never felt comfortable about public transportation.

I'm always nervous. I always feel that I'm going to get on the wrong bus, train or plane and end up in Frostbite Falls, Manitoba, instead of Augusta, Ga.

I have no sense of direction at all, and that might be part of the problem. When I get on board a bus, it could head west when I want to go to Kansas City, and I'd never know.

I can't navigate by the sun or the stars, and while I don't mind letting someone else do the job, I'm always a little loath to show my total ignorance by asking where this plane goes, and could they drop me off at Colby?

Last week, though, I got fairly good at using the subway system in Washington.

We were staying at a Holiday Inn about a block from the metro station in Rosslyn, part of Alexandria, and we needed to get to the National Press Club downtown, near the station at Metro Center.

Steve showed me how to put my \$1.35 in the slots and get my ticket, then duck down the escalators to the tracks. Follow the little symbols until you get to the one for Metro Center and wait for a train.

Get on and watch the stops — there's a map on



### cynthia haynes

- open season

the wall of the car as well as large signs at each station — and get off when you get to the right one.

From Metro Center, we went out to the Courthouse Station, which was back the other way in Virginia.

This time I was able to buy my own ticket and follow the little symbols to where we wanted to be, so I felt pretty confident. The Metro system is sort of a subway for dummies, and that's just the sort I needed.

While Steve was in a meeting, I headed out on my own finding a little mall I had been told about, three stops down the line. I didn't find the suitcase I was looking for, so I decided to go back to Metro Center, where I had seen one I liked.

Back to the ticket machine, down the escalators and to the sign for Metro Center. I got off at the right stop and bought the suitcase.

Now, I had a dilemma. Should I drag the suit-

## People tell stories, sing at book signing

My fingers get confused when I am typing the work signing, and it usually comes out singing, but at a recent book signing for "The Fleagle Gang," it was singing.

When news of the book was published, Fern Estes of Kanorado called and asked if the song "The Fate of the Fleagle Gang" was in the book. I assured her it was. She said she remembered the song, and wanted to be sure it was in the book.

The song, written back in 1930, was popular around southeast Colorado and southwestern Kansas where the robbery and murders had taken place.

Estes reserved a book at Knott Just Books, and when she arrived for the signing, she offered to sing the song.

"I can remember all but the last verse," she said.

I opened the book to the song lyrics and followed along as she sang it, word for word as written until she got to the last verse. I began to read the last verse, and Estes joined in when she reached a point where she remembered the words.

She apologized for her singing voice.

"I can sing," she said, "but not after walking in 90 degree weather."

Those of us who listened thought she deserved an ovation for being able to sing and remember the words to a song that was written over 75 years ago.

Estes said she grew up in Brandon, Colo., a small town north of Lamar. She said she remembers stories about the Fleagle bank robbery. She said roadblocks were erected in the town in case the gang should come that way.

She doesn't remember where she heard the song, but knew it was played frequently during those years.

Estes was not the only one who has asked about the song, and I was amazed to find that



### tom betz

- t, t & o

an English group has released a CD by Frank Luther that has "The Fate of the Fleagle Gang" as one of the songs. Details about the CD can be found on the Fleagle Gang website [www.nwkansas.com/home/fleaglegang](http://www.nwkansas.com/home/fleaglegang).

Many of the people who came to the book signings at Knott Just Books and in Lamar had stories about what they remembered about that day 77 years ago, or things their family had told them about it.

Cecil Schneider was a boy of 3 1/2 living in Dighton, and his father and a friend were part of a posse that went looking for the missing doctor. Schneider graduated from high school in Dighton and then went to Garden City. He came to Goodland in 1942 as the projectionist at the theater. He met his wife Wanda in Goodland during the second World War.

## where to write

**U.S. Sen. Pat Roberts**, 109 Hart Senate Office Building, Washington D.C. 20510. (202) 224-4774; web address — [roberts.senate.gov](http://roberts.senate.gov)

**U.S. Sen. Sam Brownback**, 303 Hart Senate Office Building, Washington D.C. 20510. (202) 224-6521; web e-mail address — [brownback.senate.gov/CMEmail.me](mailto:brownback.senate.gov/CMEmail.me)

**U.S. Rep. Jerry Moran**, 2443 Rayburn House Office Building, Washington, D.C. 20515. (202) 225-2715; Fax (202) 225-5124 e-mail address — [jerry.moran@mail.house.gov](mailto:jerry.moran@mail.house.gov)

**State Rep. Jim Morrison**, State Capitol Building Rm. 174-W, Topeka, KS 66612. (785) 296-7676; e-mail address — [jmorrison@house.state.ks.us](mailto:jmorrison@house.state.ks.us)

**State Sen. Ralph Ostmeyer**, State Capitol Building, Rm. 128-S, 300 SW 10th, Topeka, Kan. 66612. (785-296-7399; e-mail address — [ostmeyer@senate.state.ks.us](mailto:ostmeyer@senate.state.ks.us)

**Kansas Attorney General Phil Kline**, 301 S.W. 10th, Lower Level, Topeka, KS 66612-1597 (785) 296-3751 Fax (785) 291-3699 TTY: (785) 291-3767

### garfield

