

Opinion

Guest Editorial

More public records now available to public

A host of new initiatives went into effect on July 1 that will mean more public records will be available to the citizens of Kansas.

Thanks to a controversy that sparked a lawsuit last year in Lawrence, all records relating to public employee compensation now will be available for public inspection.

In 2004, the *Lawrence Journal-World*, the Associated Press and the Kansas Press Association joined together to sue the University of Kansas, which refused to divulge all compensation records relating to the hiring of KU Athletic Director Lew Perkins. The plaintiffs won, so KPA went to the Kansas Legislature this year to codify the court's findings into state law.

The controversy in Lawrence had stemmed from KU's refusal to release the records of Perkins' compensation beyond what he was being paid as salary. Other compensation that had come from boosters and other bonus agreements was not released. In a sweeping ruling, the judge in the case said: "An expenditure of public funds through an employment contract cannot be considered exempt from KORA (Kansas Open Records Act). Were this true, all payment agreements not specifically included or designated as 'salary' would be exempt from public inspection.

"The public has a valid right to discover how a public institution spends its money. Nondisclosure in this case is exactly the type of situation the Legislature intended to prevent with the passage of KORA."

The "Lou Perkins Bill" will allow the public to follow the money that pays their public officials, no matter the source. And why not? Taxpayers have a right to know all the sources of income — public and private — that might affect a public official's decision-making.

The measuring stick should be simple: If you're going to accept compensation from public funds, all payments that flow your way because of your public position should be open to inspection. If you don't want those supplemental agreements to be publicly accessible, then don't seek and accept a publicly funded job.

While this was an important bill in 2005, the single most important piece of legislation — in the long run — may well turn out to be the requirement that every county and district attorney document the open records and open meetings complaints they receive and how they were handled.

This is critical because it will identify the areas of the law that might be causing the most confusion to records custodians. Once we know that, we can work to close the remaining loopholes and guarantee citizens the right of access they deserve.

Here are the other changes effective July 1:

- Not-for-profits who receive and spend more than \$350 per year in public tax money will be required to account for how the money was spent. Before, if an organization or agency wasn't defined as a "public agency," even though it received tax money, it was exempt from KORA.

- The concept of what constitutes a "clearly unwarranted invasion of personal privacy" now has a definition: "Revealing information that would be highly offensive to a reasonable person, including information that may pose a risk to person or property, and is not of legitimate concern to the public."

The new language "including information that may pose a risk to person or property" is designed simply as one test that would meet the "highly offensive to a reasonable person" requirement. But if the information still was deemed to be of legitimate concern to the public, the information could not be withheld. This would help keep sensitive personal information off-limits to stalkers and identity thieves, but not embarrassing personal information that is of public interest.

- In addition, the compensation records of faculty members at our universities that have research contracts paid by private companies, if the faculty members make more than \$50,000 in salary, are now open to public scrutiny. Faculty members will have to submit Substantial Interest Reports to the Ethics Commission and those reports will be public records.

by Doug Anstaett
Executive Director
Kansas Press Association
Topeka

COLBY FREE PRESS

155 W. Fifth (USPS 120-920) (785) 462-3963
Colby, Kan. 67701

freepress@nwkansas.com

Official newspaper of Thomas County, Colby, Brewster and Rexford.

Tom (TD) Dreiling - Publisher

td@nwkansas.com

NEWS

Patty Decker - Editor

pdecker@nwkansas.com

Tisha Cox - General Assignment

tcoc@nwkansas.com

Jan Katz Ackerman, Area Reporter

ackermanjk@ruraltel.net

ADVERTISING

Crystal Rucker - Advertising Sales/Director

crystalr@nwkansas.com

Jasmine Crotinger - Advertising Sales

jasminec@nwkansas.com

Cindy Davis - Advertising Sales

c.davis@nwkansas.com

BUSINESS OFFICE

Lea Bandy - Circulation Manager

lea@nwkansas.com

Jeanette Applegate - Bookkeeping & Ad Building

japplegate@nwkansas.com

THE COLBY FREE PRESS (USPS 120-920) is published every Monday, Wednesday, Thursday and Friday, except the day observed for Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day, by Haynes Publishing Co., 155 W. Fifth, Colby, Kan., 67701.

PERIODICALS POSTAGE is paid at Colby, Kan. 67701, and at additional mailing offices. **POSTMASTER:** Send address changes to The Colby Free Press, 155 W. Fifth, Colby, Kan., 67701. THE BUSINESS OFFICE at 155 W. Fifth is open from 8 a.m. to 5:30 p.m. Monday to Friday, closed Saturday and Sunday. MEMBER OF THE ASSOCIATED PRESS, which is exclusively entitled to the use for publication of all news credited to it or not otherwise herein. Member Kansas Press Association, Inland Press Association and National Newspaper Association. **SUBSCRIPTION RATES:** In Colby by carrier: 4 months \$38, 8 months \$53, 12 months \$70. By mail with in Colby and the nine-county region of Thomas, Sheridan, Decatur, Rawlins, Cheyenne, Sherman, Wallace, Logan and Gove counties: 4 months \$50, 8 months \$62, 12 months \$78. Other Kansas counties and surrounding states: 4 months \$57, 8 months \$67, 12 months \$81. All other states, \$81, 12 months.

Nor'West Newspapers

Haynes Publishing Company



Great writing stands the test of time

I saw "War of the worlds" last week. It was intense, which is the first word that comes to mind. Just goes to show you that great writing stands the test of time. It holds true even now, more than 100 years later. It makes you feel and think. Even if you don't like it or it offends you, it still elicits an emotional and intellectual reaction.

However, what gave me pause while seeing the Steven Spielberg adaptation was the fact the people sitting behind me were laughing. There was nothing funny to be laughing at when they were laughing. People dying, trying to get away from something so horrible it can't even be imagined.

That movie managed to capture the desperation, panic and terror such a situation brings about.

I mean on Sept. 11, people experienced that type of emotion on a grand scale. If you didn't feel anything, you're not human, or at least a live, functioning sentient being of the planet Earth.

I think everyone feels that kind of emotion at least once in their lives, except on a more intimate level. You can't be human and not react.

Now I know why the Orson Welles radio broadcast frightened so many people. That was one of the first real examples of the media creating widespread panic.

(A brief history: Orson Welles, of "Citizen Kane" fame was a radio actor and producer who on the fateful night of Oct. 30, 1938 during a radio broadcast of the fictional "War of the Worlds," rewrote the thing to make it read like an actual incident going on at that moment, claiming an object had landed at a farm in Grovers Mill, N.J.)

And the critics — they were griping about the ending, that it was too sappy and sweet, that it



Tisha Cox

• Off The Beaten Path

didn't match the tone of the rest of the movie. I beg to differ. To me, that ending was about hope and perseverance.

That's what family is about, what being alive is about. Even if you don't make it, you have to at least try.

The bonds we form with people are our link to living. Without those connections and attachments, we're nothing.

Materialism aside, I think that was what H.G. Wells was aiming for. A wake-up call for people. There is no denying the movie is probably the ultimate popcorn movie of the summer, but it definitely has a message.

I know Spielberg said it has certain political undertones, but to me, it was more of a knee-jerk reaction that didn't materialize.

Regardless of race, religion, whatever, we are all the same. Country borders and skin color mean nothing. At least they shouldn't.

Except push someone to the brink and they will push back. That is desperation. Most people never feel that or even get a taste. Maybe if they did, it would change things.

Take for example another issue. I was watching "Taboo" recently on the National Geographic Channel. It was on outcasts and I caught it during a segment on lepers in India and how they are cast out because of the social stigma

attached to a disease that is easily treatable and curable.

Another case in point of how people can help others yet they won't.

This world is a fearsome and beautiful place. It's full of amazing people and things. It's a wonder we're all alive and experiencing life. I don't see why that isn't enough for some people. Instead, they squander their lives on the pursuit of power and material gain. That is not what this life is about. It is up to each of us to discover its meaning. It's not the same for any two people. Wells and Jules Verne both had similar messages. We're part of the natural world and we need to recognize it. The world is not our playground. We are part of it.

At the other end of the literary spectrum, there's "Lost Horizon" by James Hilton, in which Shangri-La was a beautiful dream but everyone there was drugged into somnolence. Yes, utopia indeed.

On one end, you have the vision of the pastoral utopia where everyone is happy and young. On the other end, you have the industrialized dystopia of "The Matrix," "Blade Runner," "The Time Machine" and also "War of the Worlds."

The real world we live in is somewhere in the middle and it's up to us to decide which way we go. At least we have the choice. And here's to hoping humanity wises up and makes the right ones for it and everything else.

Parts of this column came from <http://www.transparencynow.com/welles.htm> and <http://en.wikipedia.org>.

Tisha Cox is a general assignment reporter/photographer for the Free Press. Her column appears on Mondays. tcoc@nwkansas.com.

No time for heroes

I got an e-mail from a former classmate the other day. She is teaching at a university in a foreign country which will remain nameless because she is also teaching the gospel and, while it is not technically illegal, it is frowned upon and could cause severe repercussions for my friend as well as many of those she has taught.

Funny thing about her, though. She looks a lot more like a middle-aged school teacher than a hero. She even has a pet rabbit!

She also laughed it off the other day when someone apparently found out about her, tried blackmail and when that failed, set out to slander her.

She would be surprised if anyone called her a hero.

She is no less a hero than Paul the Apostle, who carried the gospel throughout the world in spite of beatings, torture, shipwreck and imprisonment.

Recently, a different group of heroes was honored on the beaches of Normandy in France. An ever-shrinking group of octogenarians who, as 19-20 year-olds, had stormed ashore on June 6, 1944 to liberate France and all Europe from the iron grip of Nazi Germany watched as their exploits were recounted so that we might never forget that heroes do in fact exist.

I doubt if any of them thought of themselves as heroes when they were fighting to stay alive on those blood-soaked beaches in early hours of that fateful Tuesday morning. Those who survived think of themselves as survivors for the



Jay Kelley

• Speaking MyMind

most part instead of heroes.

Heroes, however, is what they are, just as those who fought before them at Yorktown and Gettysburg and those after at the Chosin Reservoir and at Khe Sanh.

Just as those who fight in Iraq and Afghanistan today. Heroes come in all shapes and sizes. Not all are in the military and not all do great things. In fact, some great things have been accomplished (mostly by accident) by people who were no more than craven cowards.

There are two things which one must have in order to be a hero.

First, one must have a strong sense of right and wrong. Our pluralistic society is quickly replacing this attitude with moral cowardice. No one dares call anything right or wrong for fear that it might offend someone else and being offensive is the only real sin left.

Pluralism is not just the bane of the secular world, either. Evangelical Protestants are quickly losing their identity because they have adopted the more convenient, but cowardly,

"agree to disagree" policy first expounded by more liberal denominations.

Second, one must have a warrior ethos. That doesn't have to include violence, but it must include being willing to stand up for one's beliefs in the face of intense conflict. Ghandi was a pacifist, but he was willing to stand up for what he believed.

It is not enough to have beliefs; one must be willing to put them into practice, especially when it is uncomfortable or inconvenient. Churchill became a great leader because he stood on his convictions about Hitler before it was popular, not after.

Without these traits one is destined, at best, to a dull, boring life which accomplishes nothing worth remembering. With them, however, the sky is the limit. Not everyone will have a chapter dedicated to them in the history books, but someone will remember.

Heroism makes lesser men uncomfortable and perhaps that is why heroes make some of us uncomfortable. After all, they set the bar a little higher for all of us and we like it low where no one ever fails.

Nevertheless, it is better in my view to fail while reaching for the heavens than to succeed while sitting on the earth.

Jay Kelley is a local minister and writer who speaks his mind from time to time. His e-mail is jkelly@st-tel.net. He is a member of the Colby Free Press Writer's Club.

Doonesbury

• Gary Trudeau

