

Bill aims at columnists

Kan. measure would bar professors' use of titles in newspaper opinion pieces.

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College professors writing newspaper opinion columns about elected officials or legislation would be barred from using their job titles with their columns, under a bill in the Kansas

Legislature.

Emporia State University associate professor of political science Michael

Smith's first reaction upon reading House Bill 2234 on Thursday was: "Wow."

Smith writes columns syndicated statewide by



SMITH

the Insight Kansas service. Nearly all contributors to Insight Kansas are employed at a public university.

A notable exception is former state budget director Duane Goossen.

Insight Kansas was launched in 2010, offering newspapers the opportunity to run columns about Kansas government and politics written by Kansans.

Newspapers pay a subscription fee to run

the columns. Besides The Hutchinson News, papers in Garden City, Hays, Ottawa, Arkansas City, Winfield, Wichita, Salina, Marysville, Pittsburg, Iola and Leavenworth carry Insight Kansas columns.

Smith said the legislation would not stop the columns.

Peck's bill

State Rep. Virgil Peck Jr., R-Tyro, serves on the

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House Local Government Committee, and legislative staff said Peck was behind the bill introduced Wednesday in the committee.



PECK

Peck's bill is less than a page and a half long and stipulates:

Governing boards for public postsecondary educational institutions, such as state and municipal universities, community colleges and technical colleges, shall adopt and implement a policy prohibiting an employee from providing or using his official title when authoring or contributing to a newspaper opinion column, when the opinion of the employee concerns a person currently holding any elected public office in the state or who is a candidate for any elected public office in the state, or is an opinion on any matter pending before any legislative or public body in Kansas.

It would not prohibit a college employee from writing or contributing to a political opinion column in a newspaper as long as he did so without providing or using his official title.

Efforts to reach Peck by phone and email were unsuccessful.

Fighting words

"Is this called the Kansas Sedition Act?" asked H.

Edward Flentje, professor emeritus in Public Administration at Wichita State

University, who is taking a break from writing for Insight Kansas.

Controversial sedition acts in U.S. history have sought to prevent criticism of the government and elected officials.

"I've written some favorable columns early on about the governor," Flentje said.

But he and other Insight Kansas columnists have attacked decisions by the Republican-controlled Legislature and Republican Gov. Sam Brownback.

"I guess it's a shot across the bow," Flentje said.

Flentje did not know what sparked the legislation.

"I've never written about Virgil Peck. I have much bigger fish to fry," Flentje said.

However, Peck catapulted into national news in 2011, and another Insight Kansas columnist wrote about the incident.



FLENTJE

Washburn University's political science professor Bob Beatty, who now writes a column for The Topeka Capital-Journal, wrote a March 31, 2011, Insight Kansas column attacking Peck's comments made during a House hearing.



BEATTY

"Feral hogs"

"Like most states, Kansas has had its share of public officials making inappropriate, offensive, dumb-headed, and simply bizarre statements," Beatty began that column.

He wrote:

"On March 14, Kansas House member Virgil Peck had the Internet and news wires buzzing immediately with his remarks during a House hearing that illegal immigrants should be gunned down like wild pigs. Peck said: 'Looks to me, if shooting these immigrating feral hogs works, maybe we have found a (solution) to our illegal immigration problem.' He added later that he was just 'speaking like a southeast Kansas person.'"

Peck subsequently said the comments were inappropriate, and issued a press release calling the remarks regrettable, Beatty wrote.

Teaching in Topeka
Beatty and Insight Kansas contributor Mark Peterson, also a political science professor at Washburn University, do

not name Washburn in the biographical descriptions for their columns.

"Bob and I acceded to a request from the upper reaches of this institution to avoid attribution as a courtesy and to prevent problems for those who deal regularly with political figures in the seat of power a mile from our place of employment," Peterson said in an email to The News.

Peterson said they have never been threatened by Washburn with penalties or retribution if their professional affiliation was disclosed.

Peterson stressed that a formal act by the state to make what Beatty and he agreed to a legal requirement for all university employees writing an opinion column was "a horse of an entirely different color."



PETERSON

Constitutional?

There are loopholes in the bill.

For instance, Insight Kansas columns appear on at least one non-newspaper website. Also, the Insight Kansas columnists participate on televised programs, where their job titles are cited, and they have other speaking engagements.

The proposed legislation, however, addresses only how the columns should appear in newspapers.

"I am appalled at the controlling nature of this measure," said John Montgomery, editor and publisher of The Hutchinson News.

"Just like moderate legislators who don't toe the administration line getting targeted for defeat at the next election, this appears to be aimed at punishing, if not silencing, state employees



MONTGOMERY

for expressing opinions contrary to the powers that be in Topeka. It's especially troubling because at our universities we should be promoting critical thinking and free expression, not suppressing it," Montgomery said.

Montgomery said columnists are routinely identified in The News by a biographical line.

"Explaining the author's background and expertise lends credibility to his or her opinion and analysis," Montgomery said.

Reno County Commissioner Dan Deming is a regular columnist in The News. Although he infrequently writes about county business in the column, the bio line below his columns lists his former occupation and also states he is a Reno County Commissioner.

"It would be strange to ignore it," Montgomery said of Deming's public office.

"This bill seems on its face to be unconstitutional," said Doug Anstaett, executive

director of the Kansas Press Association.

"Both the U.S. and Kansas Constitutions allow for unfettered freedom of speech and of the press. Those sacred documents don't say 'except if you're a college professor who has an opinion,'" Anstaett wrote in an email.



ANSTAETT

New material

The new bill gives the columnists new material.

Peterson said he would be writing about the issue in next week's column.

Peck's chances to see this legislation through the process into state law are limited. He previously spearheaded a bill to establish term limits of 12 consecutive years for legislators. The bill did not succeed, but Peck is now in his 11th year in the House.