

## EDITORIAL ROUNDUP

## Ag aid needs Band-Aid

Excerpts from editorials in Minnesota newspapers

Permanent disaster aid  
The Bemidji Pioneer

The failure again of the U.S. Senate to pass disaster aid for farmers on Tuesday proves the need for a farm bill program that sets aside permanent farm disaster aid.

The Senate, still in Republican hands, is rushing to approve measures which may not see the light of day when Democrats take control early next year. Both of Minnesota's senators have tried and tried again to attach farm disaster aid to disaster or agriculture bills this year to no avail.

Tuesday saw the failure of an amendment calling for \$4.8 billion in disaster aid to drought-stricken farmers as President Bush continued his threat of veto and conservative Republicans again claim it's too expensive. Nearly 30 senators made their third attempt this year to pass it, but it failed in a 57-37 vote when 60 was needed to ensure passage.

"Almost half of the counties in Minnesota have been declared federal disaster areas this year," notes U.S. Sen. Mark Dayton, who will be leaving the Senate at the end of the month. "The crisis is real; the suffering is acute. "The Senate has historically answered the call to Americans afflicted by natural disasters, and it is disgraceful that the call of farmers has fallen upon deaf ears due to this procedural maneuvering."

Earlier this fall, the U.S. Department of Agriculture declared 36 counties as primary natural disaster areas due to persistent drought conditions.

"I am deeply disappointed that emergency disaster assistance for our farmers failed to move forward in the Senate, despite the support of a majority of my colleagues," U.S. Sen. Norm Coleman said. "Withholding disaster assistance continues to compound the hardships already faced by our state's farmers. It is incomprehensible that Congress has approved disaster assistance to Gulf state farmers, while Midwest farmers continue to get the cold shoulder."

Ellison oath  
Journal of New Ulm

Minnesota congressman-elect Keith Ellison, the first Muslim member of Congress, has raised some conservative hackles by saying he will place his hand on the Quran instead of the Bible when he takes his ceremonial oath of office.

That's outrageous, harrumphs conservative (and Christian) radio commentator Dennis Prager. The U.S. decides what congressmen should swear on, and the U.S. says it should be the Bible, he says,

Actually, say constitutional scholars, congressmen don't really have to swear on anything. The Constitution's First Amendment clearly says Congress shall pass no law respecting establishment of religion, and requiring someone to swear on the Christian Bible sounds sort of like the establishment of Christianity as the official faith of the Congress.

Besides, wouldn't we expect someone taking an oath to swear by whatever is sacred to them? To Ellison, a Muslim, the Bible is just a bunch of old books. Swearing on the Bible would have no more moral claim on him than swearing on a copy of "Moby Dick." If he holds the Quran to be sacred, he should swear on that.

What would happen if Prager, by some stretch of the imagination, found himself testifying in a Muslim court somewhere. If they asked him to swear on the Quran, what would he do?

Ellison should have the same rights to practice his religion.



## LETTERS TO THE EDITOR

## Be clear on what constitutes majority

To the Editor:

In response to Tammy Cedergren's letter (R-E. Dec. 2), I have to ask, "What constitutes a majority?" I am aware that some 800 people signed a petition with reference to opposition of condo's on the riverfront, but 800 signatures out of a population of 17,000 does not constitute a majority.

In our recent city elections, I am also aware that less than 50 percent of registered voters actually voted, this too does not constitute a "majority." So when the statement is made that "a large majority of citizens don't want buildings on the river" is made, this may be a bit misleading.

The property in question currently has a warehouse and fenced-in storage yard, somewhat unattractive for the area. What is proposed is a building that would not only enhance the area in being attractive, but would also add to the much needed tax rolls. I have no problems with a ban on building on the city-owned property in the connecting areas, however, the property in question is private property and falls under a prescribed set of rules. The rules are being followed by the developer, the Planning Commission and the City Council.

Neither side in this issue may like the outcome, but you know what? I have faith in the City

Council to do what they believe will be in the right interest for Red Wing. Proof of this is all around us, the downtown remains viable, even though we have had some major retail changes. And Red Wing remains attractive to all who visit here from outside the area.

Overall, the track record of the City Council hasn't been bad at all. Perhaps this may be why more than 50 percentage of the registered voters don't bother to vote, maybe they're somewhat satisfied with what they see and have.

Rock Reeves  
Red Wing

## Senator, we wish to maintain our freedom

To the Editor:

Who learned what? Monday morning's news carried word Sen. Norm Coleman thought voters had sent a message in November. He concluded voters' concerns were their medical, education and war in Iraq.

Coleman filled a gap in his teeth to project a prettier image, yet fails to concern himself over the gap between conservatives

and those who use the name Republican as a means to their own aggrandizement.

State Republicans sent a message when electing Jesse Ventura instead of the "can win" candidate; they rejected the socialist leaning outsider, Coleman. The message then is as now, "We are tired of electing a 'not-as-bad'" whose message, "We need to get elected before we can affect change" is not a sound campaign

issue. Senator, the most important message is that we have a freedom we wish to maintain. If your ilk continue to take us on the road to serfdom, we will not be voting for you anymore. Cut the invasion into our lives; quit confiscating our money, using it to make government "Big Daddy" to us all. Let our military fight the war in Iraq to win.

Catherine Huisman  
Red Wing

## Businesses are free to ship shoes, cheese and trash

BY LEE MCGRATH  
Institute for Justice

## COMMENTARY

On the Net:  
www.ij.org

"It's a hammer." That's how City Council President Stephen Castner explained the city's change to its municipal code last August. The change made it illegal for companies to pick up commercial trash in Red Wing without signing a government contract that requires them to use only the city's expensive incinerator over less-costly and environmentally friendly alternatives elsewhere.

Paul Larson refuses to be nailed by the city. He built his hauling business, Paul's Industrial Garage, into a successful enterprise by focusing on what is best for customers in Red Wing and other cities along the Mississippi River. He rejected the City's contract because he knows that Red Wing residents should not be forced to pay higher bills just because City Council wants to turn local government into a spe-

cial interest protected from competition.

Red Wing charges more than \$56 per ton to dispose of waste at its incinerator. Larson uses five different trash processors in Minnesota and Wisconsin to maximize recycling and minimize the cost of disposing of non-recyclables. Often he can dispose of waste for about \$31 per ton including shipping, a significant savings over Red Wing's incinerator.

On Aug. 28, the City Council misused its regulatory power and forced haulers to commit to disposing of commercial waste and construction debris at the city's money-losing incinerator. Specifically, the City Council will be requiring all private commercial

trash haulers to use only their incinerator for 10 years starting on Jan. 1, 2007, as a condition of doing business in Red Wing.

Choosing to overlook the real causes of the incinerator's financial problems, the City Council appears to have adopted a two-part strategy. First, the council transfers taxpayer money directly from the city's treasury to subsidize the incinerator (more than \$500,000 was transferred to the incinerator's operations from the city's general fund in 2004 and 2005) and, secondly, the council requires local businesses to throw good money after bad by forcing private haulers to use the incinerator and not less expensive alternatives.

Besides bad economics, the City Council's action is illegal.

The U.S. Constitution's Commerce Clause prohibits states and municipalities from enacting laws that discriminate against trade among the states. Specifically, the Constitution prevents local gov-

ernments from playing favorites by discriminating against out-of-state entrepreneurs.

It is absurd to think that a local government could restrict exports of shoes from Red Wing or imports of cheese from Wisconsin. That's because the Commerce Clause limits governmental power to restrict interstate shipments of everything from widgets to waste. Interpreting the clause, the U.S. Supreme Court and Minnesota courts have ruled that governments cannot impose controls that discriminate against the movement of trash to another state.

Most prominently, the U.S. Supreme Court has held that an ordinance forcing waste haulers to use a local waste processing facility violates the Commerce Clause. This precedent is directly applicable to Red Wing's ordinance.

Despite the High Court's ruling and others like it by Minnesota courts, the city of Red Wing is

determined to misuse its power to require Larson to use Red Wing's incinerator and prohibit him from shipping locally collected trash to where it makes the most sense. Not one to give into bullying, Larson joined with the Institute for Justice Minnesota Chapter to file suit Wednesday against the City. In the suit, he asks the U.S. District Court to declare Red Wing's new collections scheme unconstitutional and to stop the city from implementing it on Jan. 1.

If successful, Larson will protect Red Wing businesses from paying unnecessarily high prices for trash removal. But most importantly, Larson will be hammering back against the arrogant dictates of power-hungry government officials in Red Wing and in municipalities across the country that would violate our constitutional rights.

Lee McGrath is the executive director of the Institute for Justice Minnesota Chapter, where he litigates on behalf of economic liberty and other Constitutional rights. For more information, see www.ij.org

Red Wing  
Republican

Eagle

A division of Forum Communications Company  
(USPS 145-760)

Founded in 1857 150th Year Vol 121 No. 41

Published daily Tuesday through Saturday except postal holidays by Rivertown Newspaper Group, Box 15, 2760 N. Service Drive, Red Wing, MN 55066. Phone (651) 388-8235. Owing allegiance to no political party and serving only what we conceive to be the best interests of community, state and nation.

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## SUBSCRIPTION RATES

Second class postage paid at Red Wing, MN 55066. Postmaster send address changes to the Republican Eagle, Box 15, Red Wing, MN 55066.

	52 Wks.	26 Wks.	13 Wks.	4 Wks.
Area mail	\$118.95	62.75	32.95	11.35
Out-of-area mail	\$146.25	81.35	43.25	16.50

To subscribe, local residents call 388-8235; out-of-area residents call toll free at (800) 535-1660.

Marty Matousek, Distribution Manager

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## Corrections

This newspaper tries conscientiously to report news fairly and accurately. When we fall short of this objective, we welcome complaints from our readers. Please direct your complaints to our editor, Anne Jacobson, (651) 388-2914, ext. 125.