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143rd KZGN News Talking Points Editorial

By Tom Wiknich

Does the constitution come into play in the casino decision? Does it conflict with religious concerns about the casino?

As reported earlier in the news segment, the council held their 4TH meeting to get public input on the proposed Indian casino. In summary, the opposition is largely based on moral or religious concerns on the impact of a casino. The supporters basically think it should get approved to help the city economically and give the people here something to do. As I sat there listening to the opposition, I witnessed a few people that are strict constitutionalists locally, who are in opposition to the casino. I found that surprising.

The constitution mandates that elected officials make their decision in support of the constitution. The law requires every citizen of the U.S. to be treated fairly and equally in the application of the constitution. There is no provision that we invoke the constitution when it supports our belief, and then ignore it when it supports a decision we don’t agree with. In the opposition’s case against the casino, they seek to prevent the application of a private business to start a business here based on their own moral or religious beliefs.

Now, let me be clear. I am a Christian (Lutheran, to be exact), and we have certain church provided “thou shall nots” we follow. The “thou shall nots” are based from the Ten Commandments. Let’s bring that forward to the casino proposal. Are they violating any laws by proposing this project? No. Are they proposing an illegal business? No. Are they proposing any participation from the city, except in the enforcement of the law? No.

Here’s the biggie. Do they have the right, according to the constitution, to own and operate a casino? Whether you agree with it or not, the courts have ruled that Indian tribes have that right. For the council to reject the proposal based on beliefs not in the constitution would not be appropriate. If they reject the proposal based of the law as established by the California and U.S. Constitutions, then they would be right. We are a country of laws. We have local constitutionalists that take the council to task when they think they are treading on the rights of private citizens. They declare that people have the right to let their property become a nuisance to the local neighborhood. The city should stay out of their God-given rights.

What about the rights of someone to propose some other new business? Should they be stopped because someone believes it isn’t appropriate? How about my gun store? There are many liberals that believe that all guns should be banned and all gun stores closed. Is that legal? According to the constitution, it isn’t. So, what are they doing, trying to pass new laws prohibiting gun sales? Is there a law that prohibits casinos? No, there isn’t. The courts have ruled on that issue. According to the current laws, the council has to consider the proposal. However, if they were to determine that there was some other prohibition, based on current city, state, or U.S. law, then it would be appropriate to reject the proposal.

Where are the strict constitutionalists now? Why aren’t these folks up there defending the rights of this Indian tribe?

Let’s take the water issue. Currently, there is no water-based building moratorium. Without a building moratorium, then the project should be considered on the merits of the project. A water analysis will have to be done by an independent environmental firm that will then make a recommendation. The analysis will have to be done based on the facts of the project. Actual facts, not hypothetical concepts or beliefs. Solid engineering facts. You engineers have got to grasp that concept. You can’t just declare the project should be rejected because it will use our water. So will that new super Walmart. So will any new home that gets built in the valley. As the base adds 400 more residents, they will need water. No one seems to have a problem with that.

We have a business that wants to add 180 new jobs at a casino to the valley, they have a problem. My point is the council needs to make their decisions based on current laws and the California and U.S. Constitutions. They need to make that decision based on the facts before them, supported by current law. If you are a religious person, you know God gave us free will for a reason. We are free to make choices along the way of our life. We are free to make mistakes. We are free to do good things. We are free to do nothing if we want. Does that also sound like the constitution? Does it say we are all equal? Does the constitution support that we are free people?

There any many court decisions that I personally don’t like or agree with, but the law is the law. It needs to be administered fairly and equally to all citizens of the U.S. Not just the ones that believe the way we do. Heck, what if some business proposed to start a climbing wall?

And you are an elected official that believes that climbing walls are dangerous, and should be prohibited? Just because you believe they are dangerous, does that support rejecting them? We, the people, are free. If we want to use a climbing wall, we have a right to do so without big government banning them. How about the ban a soda drinks in San Francisco over 16 ounces because their elected officials believe too much soda is bad for us. That is not allowing our free will.

Actually, I have mixed feelings on the casino. I need to wait until the final agreement is published. I need to hear the answers to the questions asked during the public hearings. I would like to see the council put up a chart on the big screen, with the pros and cons of the project to even include the theories of crime, addictions, etc. Then discuss each one of them. Then make the decision based on the results of those discussions. The law says we cannot discriminate based on race, religion, sexual orientation, etc.

In conclusion, the casino decision must be based on the constitution and current laws and ordinances. The decision must be based on facts. The decision must be based on the concept of a free society. But a free society governed by laws. Laws fairly and equally applied.

I’m Tom Wiknich, and that’s what I think. I’d like to know what you think. If you have any comments about this editorial, or would like to discuss or recommend a topic, I’d like to hear from you. Please e mail them to [info@kzgn.net](mailto:INFO@KZGN.NET).