



Free Press Viewpoint

Milestone marks prayer decision

It's been 50 years since the Supreme Court ruled in *Engel v. Vitale* that school-sponsored prayer was unconstitutional.

It was and is a wise decision, though much misunderstood by a great many. The court did not, as people often say, outlaw prayer in school. What is outlawed was state-sponsored prayer, dictated by the school administration or some state department.

There is a great difference. Students can and do lead prayer in school today, though not during class time when others might or might not want to take part. Sports teams join in prayer before or after a game. Many kids pray in school, before meals, or maybe just before a big test.

What's missing is the prayer led by the principal or written by the state Board of Education that often marked schools of yore. Many would say that's a good thing.

School prayer used to promote a pretty narrow view of God: Protestant, Christian, white-oriented, mainstream. OK for the children of white Protestants, we'd guess, but what about the others – the Catholics, the Jews, the Orthodox, the Muslims, Buddhists or atheists?

"Just write a prayer that everyone can agree on," someone will say. Easier said than done, however.

We've seen many examples of why state-sponsored or approved religion has no place in schools. In one town, a Baptist-sponsored troupe asked to put on a play at school. The principal allowed as how he didn't see the harm in it.

Next morning, though, a gaggle of angry Mormon parents was waiting outside his office. They saw the harm, or feared they did. One man's harmless play, it seems, is the next parent's heresy.

The funny thing is, Baptists as a whole usually get it. The Baptist church understands and backs separation of church and state right down the line.

The country as a whole has more regard for religious rights today. It's not that long ago when some public school districts were run by nuns or pastors because "no one else went to school there," or "no one cared."

But aren't we a nation founded by and for God-fearing men? Yes, for the most part, but these same founders saw the need for the Bill of Rights, protecting citizens from the government they were forming, guaranteeing certain rights.

The Constitution says the government shall not favor any "establishment of religion," nor interfere with the free exercise of religious rights. That means schools can't tell students when or how to pray.

They're still free to pray, and we ought to be thankful for that. The freedoms guarded and guaranteed by the First Amendment are the bedrock of our liberty. Anything that threatens them – including school-sponsored prayer – needs to go.

– Steve Haynes

Write us

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We do not publish anonymous letters.

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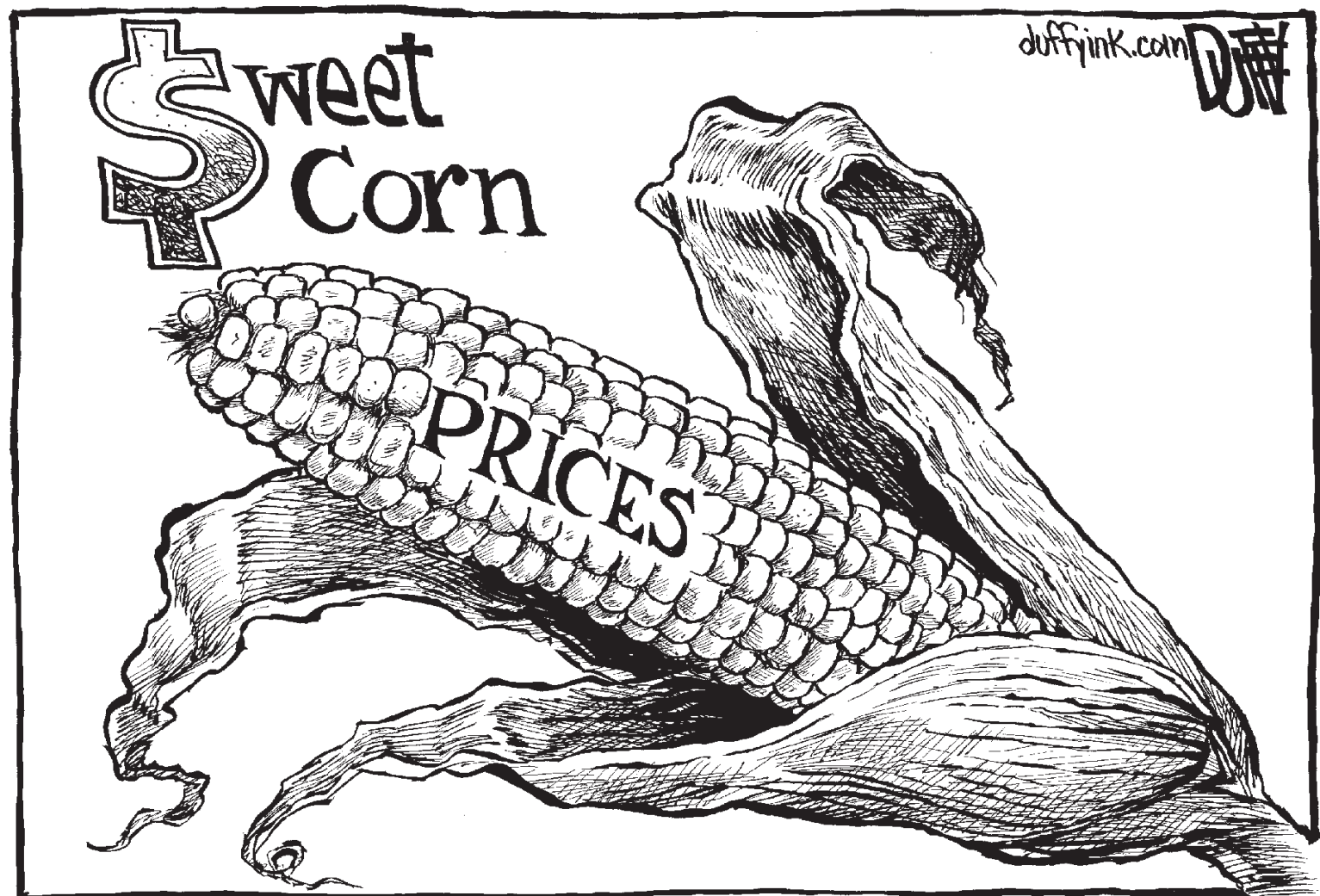
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No fireworks? Get creative

Just in case we don't get to have a Fourth of July fireworks demonstration next year, I've come up with a few ideas to fill in the gaps:

- Give everyone a small flashlight. Tell them to flip it on and off and pretend it's a sparkler.
- Synchronized porch lights: Get the whole neighborhood to turn on their porch lights and then turn them on and off in set patterns. Have the next block over come and watch yours, then go over there and watch theirs.
- Gather all the lightning bugs you can find and put them in a glass jar. Put the jar in the street and break it with a rock while yelling BOOM. The fireflies will take off like a fountain, and you have the added bonus of a mess in the street, just like regular fireworks.
- Give your children a hammer and nails and tell them that's almost the same as firecrackers. You not only get them out of your hair, but you might get the fence fixed at the same time.
- Have everyone on the block hit the wrong



Cynthia Haynes

- Open Season

button on their car alarm. This should give you at least 10 minutes of noise and light as the horns all honk and the headlights flash. However, it will seem longer. At least, it always seems like forever when I hit the wrong button.

• Walk up behind strange dogs and yell BOOM. This will provide no end to entertainment for everyone else in the area and will probably get you some exercise.

• Use gasoline instead of the regular lighter fluid to start your barbecue. After all, you

weren't very fond of that haircut anyway, and who needs eyebrows?

• Declare a '70s day and burn your bra, or your draft card, or pretend you're a member of a southern school board and burn a book – "To Kill a Mockingbird" perhaps.

• And the final one, from Steve: toss a raccoon in the city transformer for a real whiz bang time and a lasting memory as the 'coon lights up and the lights go out all over town.'

Well, then again, maybe next year we can just look up as the firemen touch off the rockets' red glare instead of trying to stop the one lighting up the horizon.

Cynthia Haynes, co-owner and chief financial officer of Nor'West Newspapers, writes this column weekly. Her pets include cats, toads and a praying mantis. Contact her at c.haynes@nwkansas.com

Obey or pay – it's the D.C. way

Other Opinions

The twisted logic used to declare the Affordable Care Act, also known as Obamacare, constitutional more closely resembled a ruling from the Soprano Court than the U.S. Supreme Court.

Congress cannot compel citizens to engage in commerce, but now it can use the taxing power to punish those who don't comply. Tony and Uncle Junior would be pleased.

Congress went to great lengths to say that those who do not purchase health care insurance will pay a penalty, not a tax. The ability to regulate interstate commerce (the Commerce Clause), not the power to tax, was cited as justification for the act.

So when five justices found that mandating the purchase of insurance is not permitted under the Commerce Clause, Affordable Care should have been found unconstitutional. Instead, Justice Roberts found a bizarre way to uphold the law by saying Congress really meant to force compliance by using its power to tax. First, he determined it was indeed a penalty and not a tax. The Tax Anti-Injunction Act stipulates that the courts cannot entertain a suit to enjoin or uphold a tax until the tax is actually paid. Accordingly, if violating the mandate results in a tax, the case should have been dismissed as being "not ripe" (not that it should have gotten this far in the first place).

Then he reversed field and said because the penalty is less than the cost of compliance, it's

- Dave Trabert
Kansas Policy Inst.

really a tax! On this, the dissenting justices wrote, "...we have never held – never – that a penalty imposed for violation of the law was so trivial as to be in effect a tax. We have never held that any exaction imposed for violation of the law is an exercise of Congress' taxing power..."

It's good that the court drew a bright line on the use of the Commerce Clause, but the upshot is that Congress is now free to write "Obey or Pay" laws. Don't want to buy an electric car? That's OK; just pay the IRS \$5,000.

State legislatures must now decide whether to implement health care exchanges and expand Medicaid eligibility. That's right – it's voluntary. The court also ruled that the federal government cannot coerce states to 'voluntarily' implement this law by threatening to withhold all Medicaid payments. That precedent should also give states more freedom to opt out of Common Core Standards and other 'voluntary' programs.

The stakes are enormous. A Kansas Policy Institute study published last year found that the Obamacare will cost Kansas \$4.7 billion in its first 10 years. Medicaid currently consumes 18 percent of state's general fund; by 2023, that will rise to 31 percent. Legislators would either be forced to raise taxes, slash spending or some combination of the two. That would wreak havoc on the economy and cost thousands of jobs.

We definitely need health-care reform, but state law restricts access by making health care more expensive. Kansans should be allowed to buy insurance from anywhere in the country, not just from a Kansas company. Group participation restrictions should be eliminated. Coverage mandates should be lifted so Kansans can buy the amount of coverage they want. Individuals should be treated the same as employers and allowed to purchase insurance with after-tax dollars; because we can't, current law makes most of us captive to the coverage our employers choose.

Now that the new law is officially a crushing tax on the middle class, maybe citizens will give legislators an offer they can't refuse – overturn Obamacare and enact consumer-driven reforms or go home.

Dave Trabert is president of Kansas Policy Institute. He graduated from West Liberty State College business administration. E-mail him at dave.trabert@kansaspolicy.org.

New agency a landmark change

Other Opinions

Last week marked one of the largest reorganizations of state government in Kansas history.

The Department for Children and Families replaced the Department of Social and Rehabilitation Services as the state agency responsible for protecting children and promoting healthy families.

It's an exciting time for us, and I'm proud to be a part of this landmark change. We have a fresh focus on strengthening families, safely reducing the number of children in our care, promoting employment and building public and private partnerships across the state.

We have an incredible opportunity to make a difference in the lives of Kansans. The recon-

- Phyllis Gilmore
Children & Families

figuration allows us to reinforce the focus we have on services for children and families. Our new name illustrates where our priorities lie – with the children and families of Kansas.

Years ago, when I was a social worker, I saw firsthand the importance of healthy families.

The people I worked with often didn't have the benefit of a stable home growing up. Often, the problem persisted through generations.

That's why the department has an emphasis on prevention. We want to help families and share resources with them that could help prevent abuse, neglect and a variety of other situations that hurt both children and adults.

We're hiring 20 new social workers whose only job is to work with families who do not qualify for intervention, but who want help dealing with factors in their situation that could cause problems down the road.

Strong families make a strong Kansas. *Phyllis Gilmore is secretary of the Department for Children and Families.*

Mallard Fillmore

- Bruce Tinsley

