

Other Viewpoints

School finance: problem not courts

Instead of following the Kansas Senate's lead and altering the state's constitutional requirement to finance public education suitably, House lawmakers should respect why that amendment was approved to start with: The public wanted a higher standard for funding education than whatever the legislative majority happens to decide.

Since its founding, our state has emphasized that education is a public right. That view was reinforced in 1966 when the public approved a constitutional amendment declaring that the Legislature "shall make suitable provision for finance of the educational interests of the state."

The point of the amendment is that voters didn't want education funding left up to the whim of the Legislature. They wanted a suitable level of funding to be a constitutionally protected right.

As with other constitutional rights, concerned parties can petition the courts to make sure the right is being upheld. That helps hold the Legislature accountable.

That's also what some lawmakers don't like — especially when the courts tell them to increase funding. They want to insert wording in the constitution saying that "the financing of the educational interests of the state is exclusively a legislative power."

But a court review is of little value without a remedy for violations. And the courts haven't pulled school-funding amounts out of thin air — they have been taken from the Legislature's own studies on what it costs to fund education suitably.

What's more, these costs are directly linked to mandates by lawmakers. Since the early 1990s, the Legislature has mandated outcomes-based standards for schools. Congress has also passed performance mandates, including the No Child Left Behind law.

As the courts have reviewed whether the state is suitably funding education, they appropriately have asked: What is required of schools, and how much does it cost to meet those requirements? The Legislature's own mandates and cost studies have provided those answers.

Even now, as lawmakers complain about the latest court ruling, they are considering more mandates — including Gov. Sam Brownback's proposal to hold back third-graders who aren't proficient in reading, which the Senate Education Committee wisely rejected this week (though the proposal likely will resurface this session).

The problem isn't the courts telling lawmakers what to do. It's the Legislature passing mandates and not paying for them — and then getting mad when the courts call legislators on it.

Instead of amending the constitution, lawmakers need to start following it.

— *The Wichita Eagle, via the Associated Press*

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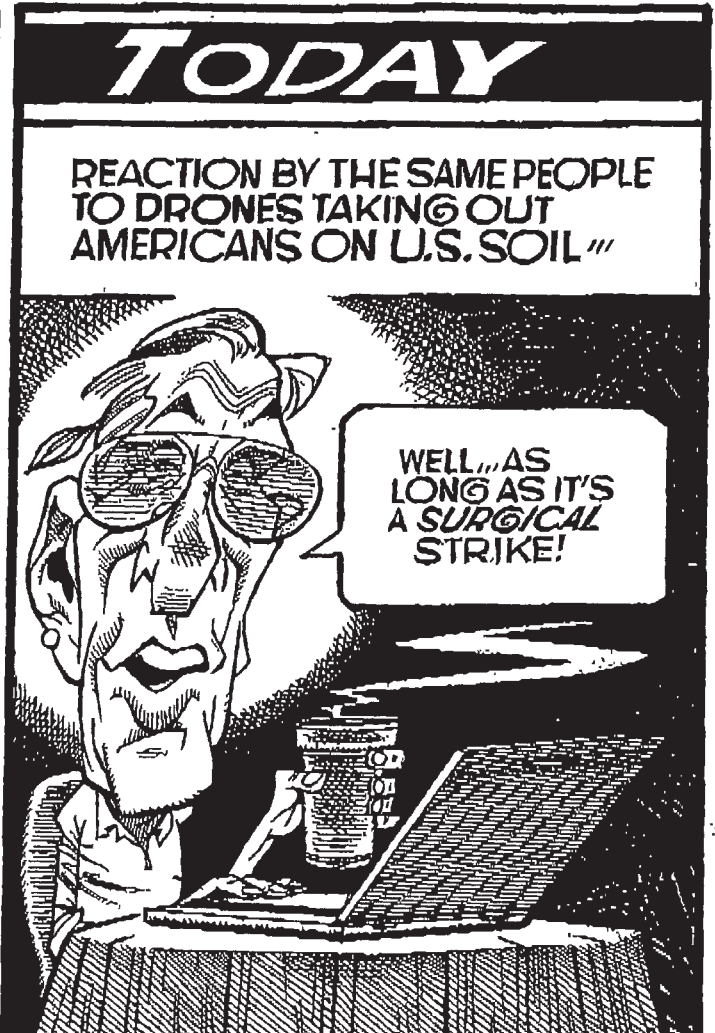
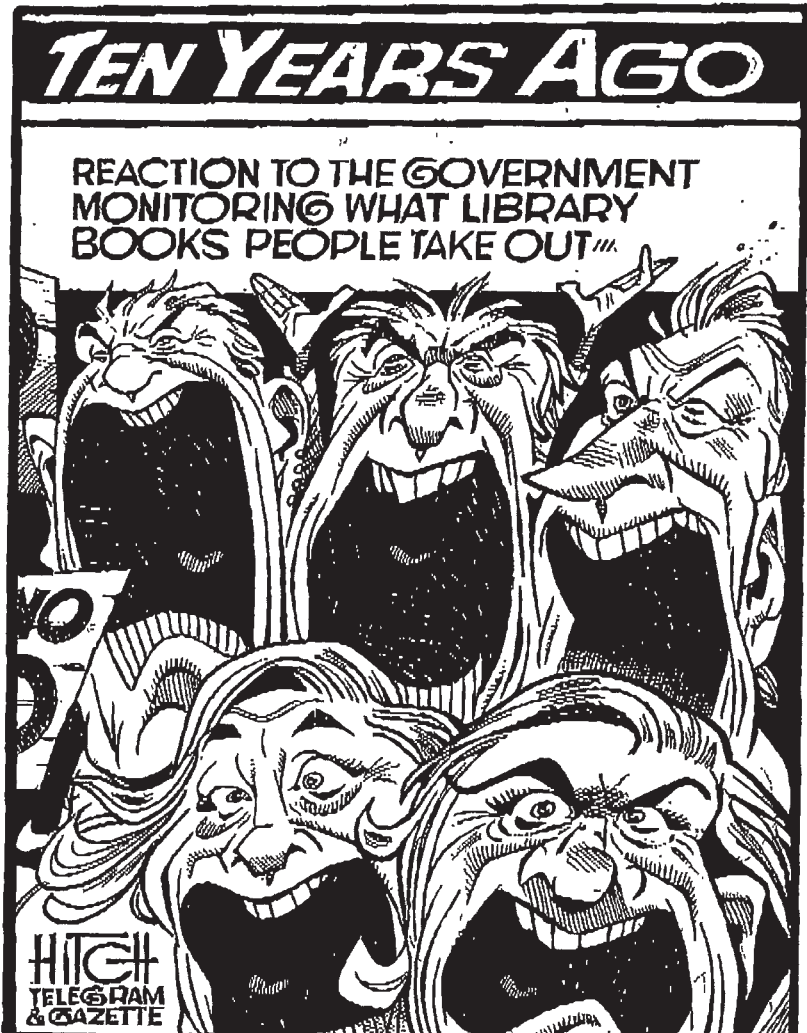
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Doctor's wife had stories to tell

When I was a reporter for the *Prairie Drummer* newspaper distributed in Colby in the 1960s and 1970s, Editor Bill James and I worked together to write a book called "The History of Gem, Kansas."

Writing that book was a good experience. I never liked history in school, but when I started interviewing the Gem pioneers and talking to them about their early experiences, history came alive for me.

Looking back, I must say that one of the most interesting interviews I did during that time was with Donna Marie Lewis, the wife of the late Dr. William John Lewis.

Donna had to be in her 90s when I interviewed her, but she remembered names and dates better than some of the younger people I talked to.

She said that she and "Doctor," as she always called him, arrived in Gem by train from Iowa in May of 1905, just one year after they were married. They lived in an apartment over the Smith and Smith Grocery. Later, they built a new house where the doctor also had his office.

Donna said one of the most difficult things she, a city girl, had to learn was how to make bread. She was accustomed to buying it at a bakery and there were no bakeries in Gem. Her first attempt left her with a sticky mess that wouldn't raise.

"I was so disgusted that I threw the whole bowl full of dough out in the alley," she recalled.

When the doctor came home, she recalled,



Marj Brown

• Marj's Snippets

he asked, "Who threw that sticky stuff in the alley? I just had to pull six baby chickens out of it." Later, she learned that she just needed to add more flour.

Another thing that Donna thought was odd was the way the local women wore their everyday clothes to town. They wore gingham dresses, large aprons and bonnets tied with ribbons under their chins.

"In Iowa the women dressed in their Sunday best to go to town," she said.

One day when the doctor was driving his buggy to Rexford, he asked Donna if she would like to go along to do some shopping.

"I put on my best dress and a large 'picture frame' hat that I anchored on with a long hat pin through my high thick hair. We had only been out of town 20 minutes when a gust of wind took my hat and blew it out into a nearby pasture. Doctor had to climb over a barbed wire fence to retrieve it.

"After it blew off two or three more times, I held it in my lap. As soon as we got to Rexford, I bought a bonnet."

Donna said she witnessed her first "black blizzard" in 1905. She said the dust was about

two inches thick in the streets after the wind quit. The snow mixed with the dust and blew all over everything so that you couldn't even see out of the windows.

"I liked living in Gem," she said. "There were so few of us that we all had to work together and help each other. We had to go to Colby to buy meat, so if someone was taking a trip to Colby, they would take meat orders from others and then bring back a wagon load."

Some of their friends she recalled were the Sherm Houstons, Goins, Leonard Smiths, Eatons, Edna McGonigal Smith and the E.T. Smiths.

In 1906, the Lowises moved to Colby, where Dr. Lewis went into partnership with Dr. V.C. Eddy. The couple had two children, a son Robert, who was a pharmacist and ran Lewis' Drugstore in Colby before his death, and a daughter, Maxine Myers. They had five grandchildren: Kay and Robbin Lewis and Bruce, Robert, and Donna Myers.

The complete Lewis story is found in "The History of Gem, Kansas." However, I have to report that the book is no longer in print, so you will need to find someone who still has a copy or check with the library. It was published by the Prairie Printers Inc. of Colby.

Marj Brown has lived in Colby for 62 years and has spent a good deal of that time writing about people and places here. She says it's one of her favorite things to do.

More tax cuts on drawing board

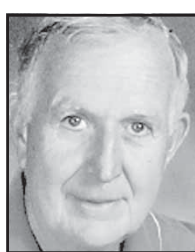
Last session, the largest tax cut in state history was signed into law.

The bill dropped the top state income tax rate from 6.45 percent to 4.9 and the low rate from 3.5 percent to 3. Until last session, Kansas had the highest rates of any surrounding state. The plan might be working, as there were 1,500 more business filings in 2012 than in 2011 — and surrounding states, such as Nebraska, are scrambling to lower rates to remain competitive with Kansas.

This year, the governor has called on the Legislature to cut income taxes further to glide to a zero state income tax rate. The latest proposal is to drop the top rate from 4.9 percent to 3.5 percent by 2017. The bottom rate would be dropped to 2.5 percent in 2014 and then to 1.9 percent in 2016.

Rather than expanding government, the governor has asked that any revenue that comes in above 4 percent during this time be used to buy down the tax liability of Kansans. His plan would leave the current sales tax rate in place and eliminate the state deduction for home-mortgage interest.

Although the home-mortgage deduction



Ward Cassidy

• This Week in Topeka

would be eliminated, the deduction for charitable contributions and the earned-income credit, used by lower-income people, would stay in place. I received countless e-mails to keep the earned-income credit in place when it was being considered for elimination last year.

Seventy percent of Kansans do not claim the home-mortgage deduction; instead, they claim the head of household deduction of \$9,000. Most taxpayers do fall under the standard deduction. The federal mortgage-interest deduction will still be available.

There are still many questions, and the top one might be, how do we replace the revenue if the sales tax does come off?

A two-year budget plan also is being proposed by the governor. I personally like this

proposal, as it will allow the state more time to heal from the recession and to plan for the future.

What has been dropped in this year's tax plan proposal was elimination of the state individual income tax deduction on property taxes paid on homes. This deduction would be worth \$68.5 million for the upcoming fiscal year.

What happens next? There will be a tax plan from the governor, a House tax plan and a Senate tax plan. There will be agreement and disagreement, and in the end we will see the amount of revenue we have to work with.

Rep. Ward Cassidy of St. Francis represents the 120th District in the Kansas House of Representatives, covering the northwest part of Thomas County (including Colby), plus Decatur, Rawlins, Cheyenne, Sherman and Wallace counties. This is his second term in the Legislature, and he is chair of the Education Budget Committee and vice chair of the Education Committee. Send e-mails to ward.cassidy@house.ks.gov.

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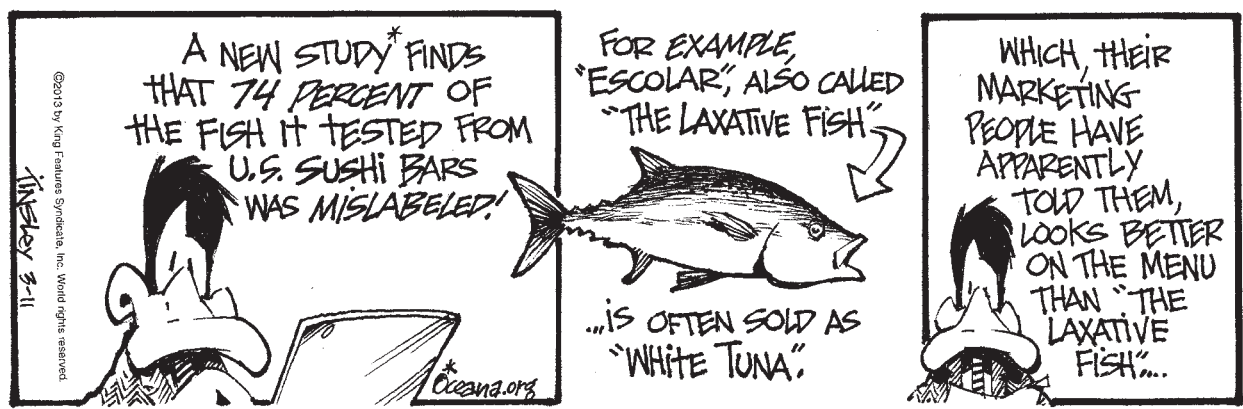
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