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Testimony before the House Judiciary Committee in support of HB2203

Mr. Chairman and Committee Members

Good Afternoon. My name is Jon Day. I live in the country just outside Altamont in Southeast Kansas. One week a year I trade in the grubby work clothes of a handyman for a suit and tie and come to Topeka, so I can bring several young men to participate in the Christian, Bible-based Legislative Training Event called TeenPact. The young people will have their main sessions across the street in Memorial Hall throughout the week, but you will often see them in the halls of the Capitol as they come here to learn and participate in the legislative process.

Standing before this committee is way outside my everyday experience, but this bill before you today compels my attendance.

You see, I'm an American, a Kansan, and a Christian ... a follower of Jesus. And, being a follower of Jesus, the Bible necessarily affects the way I think and the way I live my life. In the words of James, the Apostle of Christ, "faith without works is useless" (Jas 2:20) and "faith without works is dead" (Jas 2:26). Or better yet, in the words of Jesus, "If you love me, you will keep my commandments" (John 14:15). This concept is not unique to Christianity, but holds true for the adherent to every religion. The true adherent is the one who lives by what he claims to believe. In fact, it holds true for entire cultures as has been famously noted by Henry Van Til who said, "Culture is religion externalized".

James Madison famously said, "The essence of Government is power; and power, lodged as it must be in human hands, will ever be liable to abuse." Absent such abuse with even the most carefully crafted of laws, it is inevitable that the power of Government will collide with the actions produced by the sincerely held religious convictions of individual citizens. The authors of both the US and Kansas Constitutions recognized both from wisdom and experience the potential for this collision.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..."(The First Amendment to the US Constitution) And from the Kansas Bill of Rights, "The right to worship God according to the dictates of conscience shall never be infringed; nor shall any person be compelled to attend or support any form of worship; nor shall any control of or interference with the rights of conscience be permitted, nor any preference be given by law to any religious establishment or mode of worship."

We treasure these rights just as they did, but time has proven that questions will arise. What about prisoners? What if a person makes a false claim of religious belief? What if? The real question before us today is, "When the questions come, who will decide and what method will they use to make those decisions?" If the Legislature is silent as has been the case, the unelected, largely unaccountable Judiciary will decide based upon whatever method they like.

I encourage you, the people's representatives, to break the silence today and instruct the Judiciary how best to protect the religious rights of the people of the State of Kansas by voting yes on HB2203.

Thank you.

HOUSE JUDICIARY

DATE: 2/18/13

ATTACHMENT 7