

State Representative

Don Hineman

Don's Legislative Update

February 22, 2013

History lesson

I recently wrote about an attempt to change the method of judicial selection in Kansas and why we have the system we presently do. That copy of my newsletter is available on my [website](#) if you missed it earlier. That effort appears to have stalled, at least for now. However another proposal to amend the constitution is gaining traction, and a resolution passed out of the Kansas Senate this week that attempts to clarify that funding of public education should be solely the responsibility of the legislature.

A few days ago I came across some very interesting background on this issue. Article 6b of the constitution says "The legislature shall make suitable provision for finance of the educational interests of the state". This language was amended into the constitution in 1966. The really interesting thing is what else was going on at that time. In 1964 the U.S. Supreme Court issued a [ruling](#) that all state legislative bodies must be apportioned based upon population rather than geography or any other means. This doctrine of equal representation, or "one person, one vote" meant that the Kansas House of Representatives could no longer be apportioned one representative per county with a few extra allocated to the larger cities in the state.

1966 was the last year that the Kansas House was apportioned under the old system, and it seems very likely that the members of that predominantly rural legislature understood that "one person, one vote" would forever change the character of the Kansas House. They no doubt understood that future legislatures would become increasingly urbanized. And that raised the prospect that at some point an urban-oriented legislature might adopt a school funding formula that would disadvantage rural school children relative to their counterparts in the cities of Kansas.

The solution those rural legislators apparently devised was to lock language into the constitution that would insure suitable funding for the education of ALL Kansas school children. In my opinion they met their objective very well. Though the present school finance formula is not perfect, it has been crafted and refined over a period of decades to balance the needs of diverse student populations throughout the state. But now, thanks to a series of contentious court rulings, some folks want to change the constitutional language and remove the possibility of future court challenges regarding school funding. The rural legislators of the 1960s recognized that putting that power strictly in the hands of the legislature would be a very bad thing for rural Kansas. I am thankful for their wisdom and leadership of nearly fifty years ago, and I am committed to their objective... equal educational opportunity for all Kansas children.

It would be very interesting to have a chat with some of the individuals who



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Visit Don's Website:
[Hineman for Kansas](#)

Useful Phone Numbers

Department On Aging
800-432-3535

Child/Adult Abuse Hotline
800-922-5330

Child & Family Services
888-369-4777

Consumer Protection
800-423-2310

Crime Tip Hotline

were in the legislature back then. Rod Bentley of Gove County, my good friend and ardent supporter, served in the Kansas House of Representatives during that era. Sadly, Rod's long and [interesting life](#) came to an end just last Friday.

This peek into the past is verification of the old phrase “those who cannot learn from the past are doomed to repeat it”. Problem is, if rural Kansans cannot value the foresight of those who went before, it is quite possible that we will never again be able to restore the constitutional protection of equal educational opportunity.

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The Disenfranchisement of Rural America

In an amazing coincidence, the day after I learned the history of the “suitable provision for finance” amendment, I received a message from one of my new constituents, Steve Granzow, who is CEO of Sheridan County Health Complex in Hoxie. He had forwarded a link to me and I offer it here for your consideration. It is an [article](#) entitled “The Disenfranchisement of Rural America”, authored by James Huffman and published on the website of the Hoover Institute at Stanford University.

I found the entire article to be extremely interesting, but if you want to cut to the chase, please read the sections entitled “The Loss of Rural Representation in State Legislatures” and “The Revival of Rural Communities”. One phrase that really hit home for me is this: “The point is that, because of their minority status in statewide population terms and their lack of representation as communities, rural Americans are denied full self-governance. They have become the objects of what might be called the soft tyranny of others desires and expectations”.

I must report that this is certainly true in Kansas. In past years, Shawnee County annexation disputes have led to attempts to resolve their differences with legislation that would have statewide impacts. And during the current session legislation has been introduced to “manage” statewide solid waste issues because of an internal squabble in Johnson County and to prevent local health departments from seeking accreditation because of a similar “family feud” in Sedgwick County. Additionally, there is an effort underway to deny oil and gas producing counties (i.e. rural counties) that portion of severance tax receipts that has been promised to them in the past. Regardless of whether these initiatives were conceived through arrogance or indifference, the net result is the same: rural Kansans are frequently inconvenienced or caused to suffer economic harm by the majority... their city brethren.

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Transition to KanCare

In January Governor Brownback’s administration rolled out the transition of Kansas Medicaid to a system of managed care to be known as [KanCare](#). The objective is to attempt to slow the rate of increase in state Medicaid costs while simultaneously providing better medical outcomes. The state’s share of Medicaid costs has risen from zero in 1974 to the point that Medicaid consumes 18% of all State General Fund dollars today. The burden continues to grow, and the present system is simply not sustainable.

800-252-8477

Crime Victim Assistance
800-828-9745

Gov- Brownback
800-748-4408

Highway Road Conditions
511 (in Kansas)

Housing Hotline
800-752-4422

KanCare Assistance
866-305-5147

Kansas Lottery
800-544-9467

Legislative Hotline
800-432-3924

Mental Health Services
888-582-3759

School Safety Hotline
877-626-8203

Social Security
800-772-1213

Taxpayer Assistance
785-368-8222

Tax Refund Status
800-894-0318

Unclaimed Property
800-432-0386

Unemployment Insurance
800-292-6333

Vital Statistics
785-296-1400

Voter Registration
800-262-8683

Welfare Fraud Hotline
800-432-3913

Worker's Comp
800-332-0353

I commend the Brownback administration and in particular Lieutenant Governor Jeff Collyer and Dr. Robert Moser, Secretary of Kansas Department of Health and Environment (KDHE) for conceiving and implementing KanCare.

Such a large and bold initiative is bound to create some startup issues . However nearly everyone involved has been pleasantly surprised with how smoothly the transition is proceeding Certainly there have been hiccups and glitches, but I have been very impressed with how swiftly and effectively everyone – the managed care organizations, the Lieutenant Governor’s office, and KDHE personnel – have responded to the problems that have arisen.

There will more growing pains as everyone adjusts, but a system is in place to deal with them. The KanCare Consumer Assistance number is 1-866-305-5147. Other important numbers are at the bottom of this [page](#). In addition, the office of KanCare Ombudsman has been established to help troubleshoot any consumer problems. The number of that office is 1-855-643-8180. You may email them at kancare.ombudsman@kdads.ks.gov.

The three managed care organizations which provide services through KanCare also have hotlines to handle consumer inquiries:

- Amerigroup: 800-600-4441
- Sunflower: 877-644-4623
- United: 877-542-9238

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House Rural Caucus

Last fall during a conversation with Representative Brian Weber of Dodge City about how we could most effectively represent Western Kansas we agreed that it would be a good idea to establish a rural caucus in the House of Representatives. We organized the group and held the first meeting in early January, at which time I was honored to be elected chairman of the caucus.

The group, which can number as many as fifty representatives from all parts of Kansas, meets every Wednesday noon during the legislative session. At past meetings we have had discussions about use value appraisal, corporate farming, rural health care, and the “one judge per county” issue. Future discussions will center on school finance formula, expanding wine and liquor sales to grocery and convenience stores, and rural highway projects. We have concluded there is no shortage of topics for our meetings, and the concept of a caucus has been very well received.

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Legislative Pages Wanted

During each legislative session each legislator has the opportunity to sponsored legislative pages to assist during House deliberations and to learn about Kansas government. I have been assigned Monday, March 11 as a page date. This opportunity is open to any junior high or senior high school student. Contact my office soon if you wish to apply.

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Upcoming Town Hall Meetings (locations to be announced)

Colby	Saturday, March 2	10:00 a.m.
Hoxie	Saturday, March 2	12:00 noon
Hill City	Saturday, March 2	2:00 p.m.
Oakley	Monday, March 4	10:00 a.m.
Grainfield	Monday, March 4	12:00 noon
WaKeeney	Monday, March 4	2:00 p.m.
Leoti	To be determined	

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Cowboy Logic

“Hard work ain’t easy – but most people don’t know that.”

Quote of the week

“You can observe a lot just by watching” – Yogi Berra

Sermon in a sentence

“Temper gets you in trouble; pride keeps you there.”

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Representative Don Hineman

Visit My Website at <http://www.hinemanforkansas.org/>

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Newsletter Paid for by Hineman For Kansas - Derek Martin, Treasurer