

State Representative

Don Hineman

Don's Legislative Update

May 21, 2013

Around the World in 80 Days... but don't hold the Legislature to that timetable!

When the 2013 Kansas Legislative Session began in early January, leadership of both the House and Senate proposed finishing all legislative business and adjourning within 80 days instead of the 90-day session which is in our state statutes.

That is an admirable goal, and I applauded that effort when it was announced. Unfortunately the 80th day of the session was last Monday, May 13th, and we are still stuck in Topeka with no endpoint on the horizon. Thursday will be the 90th day of the session, the statutorily-mandated last day. I predict that we will not finish by then, and the session will drag on as it has in recent years. And as I have done in the past, once we reach the 90th day I will turn back my daily pay. I signed up for a 90-day session. It is not right to expect the taxpayers of Kansas to pay me when we legislators can't complete our work on time.

The problem, to no one's surprise, is that the legislature must still come to agreement on some sort of revenue plan, made necessary by last year's overly-aggressive income tax cut. The result has been it dried up revenues and created a huge hole in the state budget. And once that plan is in place, thereby making future revenues more certain, the Senate and House conferees must iron-out differences between their two budget bills and the compromise budget must be adopted.

Obviously that can't happen until a tax plan has been passed.

The really surprising and disappointing thing is that there was evidently very little, if any, discussion among legislative leadership and tax conferees during the nearly five weeks in April and early May when the legislature was in recess. If that time would have been used for dialog, perhaps an 80-day session could have become a reality.

Adopting any tax (revenue) package is going to be quite difficult. It is the opinion of a number of legislators that, if we must vote for a tax increase, it must be good public policy for the State of Kansas. The problem is, the solution we appear to be headed toward - extending the sales tax increase of 2010 - does not qualify as good public policy.

Rolling back some of the more egregious elements of last year's tax plan would be a better approach. That would still qualify as a very significant income tax cut, positioning Kansas to be quite competitive in the region. It would also preserve the tax equity that is inherent in the "three-legged tax stool" that has served Kansas well for decades.

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Tax Freedom Day

The Tax Foundation recently issued a report which showed the theoretical tax freedom day for residents of each state. That is the day on which the average resident of that state has worked long enough to pay all of his federal, state, and local taxes and is finally "working for himself". In Kansas, tax freedom day came on April 9, over a month ago. Interestingly, six of the states that have no state income tax have a later tax freedom day. Texans celebrated tax freedom day on April 10. In Nevada they had to wait until April 14 to celebrate. In New Hampshire and Florida the party hats came out on April 15. Wyomingites had to wait until April 16 and Washingtonians couldn't work for themselves until April 20.



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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
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

The point? Eliminating state income tax does not guarantee a lower overall tax burden. The need for government revenues is still there, and eliminating income tax just shifts the burden somewhere else... most commonly to sales and property taxes. It is that shift that concerns many of us legislators, and has us resisting the notion that Kansas should continue "marching to zero".

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Time On Our Hands

While legislative leadership and conference committee negotiators work toward some final resolution, the majority of legislators are in town without much official business to conduct. As an example, yesterday's official House session began at 2:00 p.m. and adjourned just sixteen minutes later. It is frustrating for each legislator to be stuck like this without much to do, with many business and family demands back home that we would like to get to.

Some legislators have hit the golf courses. Others have taken in the latest movies. And a few have even gone back home and climbed on the planter. I have stayed in my office, for the most part, working on several projects:

1. Worked on the details of my preferred tax plan. Yes, with 165 legislators in the Senate and House, there are probably 165 separate tax plans in the works. And since no one can accurately predict what the end product will be, every legislator holds to the belief that their plan might actually gain acceptance.
2. Initiated meetings with key legislators, Property Valuation Division personnel, Wildlife and Parks, Department of Agriculture, and representatives from Farm Bureau and Kansas Livestock Association to address the problem of a few county appraisers who are beginning to incorrectly reclassify some parcels of ag land as non-ag, thereby creating huge increases in assessed valuation. This practice is inappropriate and goes against legislative intent. I am hopeful we have effectively stopped the reclassification.
3. Organized meetings with the Chair of the House Transportation Committee, Secretary of Transportation Mike King, and other key KDOT personnel to discuss KDOT policies, which appear to be barriers to oil and gas exploration and development. The issue first surfaced when a constituent contacted me regarding problems getting permission to drill an oil well in Trego County. I received word late Friday that the issue in Trego County has been resolved, and I intend to continue work on the larger issue. I am encouraging KDOT to adopt policies that protect the department's right-of-way interests while not throwing up unnecessary roadblocks to progress in the oil patch.
4. Attended two meetings to explore the topics of performance-based and priority-based budgeting. Dry subject matter? To most folks, yes. But important to the state? Absolutely. I have been frustrated with the budget adoption process that is traditionally used by the legislature, as it is too superficial and happens too quickly to yield the best product. I believe our greatest opportunity to truly make state government more efficient and cost effective lies in an improved budgetary process. This will be an ongoing effort. The legislature will be in adjournment from June through December, but I have told the Chairman of the General Government Budget Committee that I am willing to meet during that time, at my own expense, to work with him on this project.
5. Continued work and discussions with statewide business interests and representatives of local government, working toward a resolution of an ongoing dispute regarding classification and appraisal of business property. The issue has become quite contentious, but I believe we are making real progress toward a solution that can be adopted during the 2014 legislative session.

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Dighton High School Comes to Topeka

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



Clayton Capra, Matthew Mulville, Rep. Hineman, Wyatt Marsteller, and Ben Speer

On Monday, May 13th I had the privilege of meeting and sharing breakfast with a group of young men and their sponsors from Dighton High School who had made the 300-mile trip to Topeka to meet with various legislators and advocate for rural public education. Clayton Capra, Matthew Mulville, Wyatt Marsteller and Ben Speer did an excellent job in that regard. They met with legislators from Wichita, Salina, and Johnson County. I later checked in with these legislators and learned that they had enjoyed the visits. They reported they now have a greater understanding of and appreciation for public education in a rural school district like Dighton. Job well done guys. Thank you for making the effort!

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A Short History of Kansas Government

John Marshall, former statehouse correspondent and editor for the Harris Newspaper Group, recently authored a series of essays which provide a short but enlightening history of Kansas Government, starting in the 1950s and ending with the present day situation. Marshall's experience as an observer of Kansas politics provides a very valuable perspective, and I recommend it to anyone who is struggling to understand our current political dilemma.

<http://www.khi.org/news/2013/may/16/when-government-worked-kansas/>

<http://www.khi.org/news/2013/may/17/80s-carlins-legacy-and-beyond/>

<http://www.khi.org/news/2013/may/18/new-confederacy/>

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Cowboy Logic

"Never put the key to your happiness in someone else's pocket."

Quote of the week

"We all want progress, but if you're on the wrong road, progress means doing an about-turn and walking back to the right road; in that case, the man who turns back soonest is the most progressive." - C.S. Lewis

Sermon in a sentence

"It's wise to under-promise and over-deliver."

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Representative Don Hineman

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