

State Representative

Don Hineman

Don's Legislative Update

March 31, 2014

March Madness

As March draws to a close I have March madness on my mind, but I'm not referring to the Kansas weather, with freezing temperatures and snow across the state just a few days ago. I'm also not thinking of the NCAA basketball tournament, which unfortunately no longer involves any Kansas teams. Instead, the March madness that has my attention at the moment is taking place within the Statehouse in Topeka.

The recent Kansas Supreme Court decision in the Gannon case is driving practically all of the discussion in Topeka these days, as legislators work toward a solution to the school funding equity issue. The court has ordered that such a solution must be in place to provide equity of educational funding prior to July 1, with serious consequences should the legislature fail in that quest. Incredibly, some legislators seem to want to call the bluff of the court, and dare them to follow through with the sanctions that were ordered in the Gannon ruling. That is a very risky approach, and could lead to a special session of the legislature sometime in June.

Fortunately, it appears that is a minority attitude, and most legislators are actively engaged in negotiations to craft a legislative solution that will pass muster with the court and deliver true equity to all Kansas schools. The current proposal in the House would make adjustments to a few weightings in the school finance formula in an attempt to provide part of the funding for the equity mandate while refining the weightings. However I have seen a computer run for that proposal, and if it were enacted fifteen rural school districts would be left with less state funding with no opportunity to make up the loss through increased local effort. Two of those school districts are in my legislative district. I am skeptical that an initiative to address equity of educational opportunity, and which will require over \$93 million a year in new school funding, truly delivers on that promise if some school districts end up as net losers.

Additionally, there has been a major push to "bundle" a number of education policy items in the same bill that provides the equity funding. I am not a fan of such an approach, as the objective is always to include policy items that do not have enough support to stand on their own merits. They are included in the bill in an attempt to muscle them through with the funding which everyone agrees must be addressed. That is a bad legislative practice, and it can lead to the enactment of significant policy which actually lacks majority support in the legislature. Fortunately, the most egregious of the policy items have been negotiated out of the bill, and I am now at a point that I can accept those items that remain.

Our objective during the time we have left should be to craft the best possible solution to the issue of equity of school finance. We definitely have



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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

a major conversation ahead of us regarding how to define and insure adequacy of funding, but that discussion is best left for the interim and the 2015 legislative session. The court put no deadline on the adequacy issue, and in fact the three-judge panel will be wrestling with that issue for some time to come. It is helpful and very significant that the Supreme Court stated in the Gannon decision that all funding that goes toward education should be counted toward adequacy, but that outcomes, rather than dollars, are the most appropriate yardstick for measuring adequacy. It will take a great deal of discussion, research and reflection to appropriately address adequacy, and we must not rush that decision during the remainder of the 2014 session.

Senate Substitute for House Bill 2338, is another bundled bill. It would provide needed funding for the judiciary branch, but it includes some policy components which would have radical effect on the court system. It would be a move away from the unified court system, which has been in place since the 1970s. I am very much against this extreme example of bundling, and cannot accept that bill in its present form.

Time is now running short. The legislature is scheduled to reach first adjournment in less than a week. We will return on April 30 for the veto or "wrap-up" session, which is currently scheduled to conclude during the first week of May. However if the legislature cannot reach agreement on the school funding issue this week, we will be leaving a great deal of work to be resolved during the veto session. I doubt anyone wants to see us drawn into an extended session like we experienced last year when the session was 99 days long and we finally adjourned on June 1!

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Renewable Portfolio Standards

After a lengthy debate, the Senate voted 25-15 to approve S Sub HB 2014 which seeks to repeal the Renewable Portfolio Standards (RPS) put in place in 2009 as the state moved forward with the proposed Holcomb coal plant. The standards require major utility companies to generate 10 percent of their energy through a renewable source by 2011, 15 percent by 2016 and 20 percent by 2020. The measure to repeal those standards was lobbied for heavily by groups including Koch industries, the Kansas Chamber and Americans for Prosperity. They argued the RPS imposes pressure on utility rates, while supporters of RPS point to substantial wind power development in Kansas as a key economic driver.

Having put the measure in a House bill, the Senate was hopeful that members of the House would simply concur with their action. However House members used parliamentary procedures to instead soundly defeat the effort. Ultimately, the measure was killed by a vote of 45-76. During floor debate, House members pointed to KCC reports which indicate that the effect of RPS on electric bills has been minimal, and that onerous EPA regulations are to blame for nearly all of the recent increases in electric rates. They also expressed concern about the negative signal that changing the law would send to emerging renewable energy businesses and business in general. However, like most statehouse issues, this one is far from dead and it is likely to be resurrected either later this year or next.

House rejects bill repealing Kansas' RPS energy mandate

<http://cjonline.com/news/state/2014-03-26/house-rejects-bill-repealing-kansas-rps-energy-mandate>

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

House rejects measure to repeal state renewable energy standards
<http://www2.ljworld.com/news/2014/mar/26/house-rejects-measure-repeal-state-renewable-energ/>

House refuses to repeal renewable energy standards
<http://www.kansas.com/2014/03/26/3369314/house-refuses-to-repeal-renewable.html>

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Cowboy Logic

"If you're riding ahead of the herd, take a look back every now and then to make sure it's still there" - **Will Rogers**

Quotes of the week

"Insanity in individuals is something rare, but in groups, parties, nations and epochs, it is the rule." – **Friedrich Nietzsche**

"Baseball, it is said, is only a game. True. And the Grand Canyon is only a hole in Arizona." - **George Will**

Sermon in a sentence

Life is 10% what happens to us and 90% how we respond.

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