

State Representative

Don Hineman

Don's Legislative Update
March 28, 2015

“Constitutional Carry” Passes Both Houses

[A bill to allow constitutional carry](#) came before the House this week, where it passed on a vote of 85-39. “Constitutional carry” refers to allowing all citizens to carry a firearm in concealed fashion without training or government permit, which has been required in Kansas until now. Citizens already have the right to carry firearms openly without restriction.

I have never received as much communication about one issue as I have about this one. But nearly all of the hundreds of email messages were from individuals who do not live in my legislative district, many of them were from out of state, and quite often they were duplicates from the same individuals.

It was disappointing to me that many of the messages were canned messages which originated from an unknown source, and when the sender added a personal note it often said “Do not take my guns”. That’s a pretty clear sign that someone was attempting to mislead folks about what the bill did, because this was never about taking away privately held guns. The question was merely whether citizens who wish to concealed carry should be required to take training and obtain a permit. Nearly 90,000 responsible Kansans have already taken that step since concealed carry was first legalized in Kansas.

Although I am a strong proponent of the Second Amendment and have a gun cabinet full of firearms, I really struggled with this issue. I don’t have a problem with doing away with the permit, but it troubles me that the bill would eliminate the requirement that an individual receive training in safe firearm operation, marksmanship, and firearms-related law. With rights come responsibilities, and requiring gun owners to take training seems both reasonable and prudent to me. I received feedback from several gun-owning members of NRA who told me that they, too, were uncomfortable with eliminating this requirement.

Like Senate President Susan Wagle, I have concerns about this bill. However ours is a representative form of government, and the overwhelming message from my constituents was that they wanted this bill passed. Accordingly, I voted yes. My concerns remain, however, and I strongly encourage any citizen who wishes to concealed carry to seek adequate training before doing so. This website may be of help:
<http://www.trainmeks.com/Training.aspx>

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Update on School Block Grant Funding



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Useful Phone Numbers

Department On Aging
800-432-3535

Child/Adult Abuse Hotline
800-922-5330

As I reported in my [last newsletter](#), Senate Bill 7, which eliminates the present school finance formula, passed out of the House on a very close vote. This past week the Senate concurred and sent the bill to Governor Brownback, [who signed it](#) on Wednesday. In a move that raised many eyebrows, the signing ceremony was held in private, attended only by Republican legislative leaders and Lieutenant Governor Colyer. No press, teachers, school board members, or students were invited to attend. Many regarded that as highly unusual, especially since Governor Brownback had called for just such a bill during his state of the state speech back in January.

However the ink was hardly dry before the Schools for Fair Funding group [filed a motion](#) asking the Shawnee District Court stay the implementation of the new plan. They charged that the block grant proposal violated the judicial mandate of adequacy and equity, and asked that the matter be stayed at least until the court hearing on school funding which had already been scheduled for May 7

These events seem to be validating predictions of an impending constitutional crisis. Those of us who have been in the prediction game had best stop here though, because we are entering into uncharted waters, and where the process goes from here is very difficult to foresee.

On a related note, Celia Lopis-Jepsen, reporter for the Topeka-Capital Journal, has been publishing a week-long series of articles about education in rural Kansas. It is an excellent series, and well worth the time to read. The complete series of articles is available [here](#).

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Bonding for KPERS

The House passed a bill this week authorizing the board of the Kansas Public Employees Retirement System (KPERS) to issue up to \$1 billion in bonds. It is expected the bonds can be issued at about 4.4%, and the plan as stated by the carrier of the bill would be to invest the money, earn about 7.5% to 8%, and use the difference to help move KPERS closer to actuarial stability.

I believe that plan, if it were truly implemented in that fashion, is a good one. In fact I voted for a similar plan (which did not pass) a year or two ago. Unfortunately, some have different intentions for the money, and I cannot agree with their scheme. I voted no on the bill and entered this explanation of vote:

MR. SPEAKER: This bill is proposed as a way to move KPERS towards actuarial soundness. However the Governor's Budget Report states that "under the proposal, proceeds of the bonds would be used to help reduce future employer contribution rates." That does nothing to help KPERS. Having maxed out the KDOT credit card we are now applying for a new KPERS credit card. That is neither conservative nor responsible government. We continue to deceive ourselves and the people of Kansas about the true cost of state government and push that cost off on future legislatures and Kansas citizens. I vote no on **HB 2095**.

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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
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

Budget and Tax Matters Still Unresolved

Although there is only one week remaining before the legislature reaches first adjournment, action has not been taken on the big issues of budget and tax. The Senate has developed and passed on a budget, but the House stalled out. A budget was developed, but has not yet been debated, out of fear that there are too few votes to pass it.

The problem with both budgets is that they spend more money than is currently available, by several hundred million dollars per year, due to continued disappointing state revenues. The conventional thinking is that a budget will be adopted, and then the Senate and House Tax committees will work to craft a tax plan to supply the necessary funding. Some folks think a more responsible approach would be to develop a tax plan, if one is needed, and pass it first. Then a budget could be constructed with full knowledge of the resources which will be available.

I am skeptical that the House budget could pass next week, and even more skeptical that the House would concur with the Senate budget. At this point it appears probable that both issues will be put off for the veto session of the legislature, which begins on April 29.

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This newsletter is primarily intended for the residents of the 118th District (all of Wichita, Scott, Lane, Logan, Gove, Trego, and Sheridan Counties and portions of Thomas and Graham Counties). However it is available to anyone who finds it of interest. Please forward to your friends, or if you are not now receiving a FREE subscription to my newsletter, [click here to sign up](#).

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Cowboy Logic

The key to happiness is a bad memory.

Quote of the day

"At the end of a fishing trip you are inclined to summarize in your head. A tally is needed for the quick description that you will be asked for: so many fish at such and such weights and the method employed. Inevitably, what actually happened is indescribable" — *Tom McGuane in Silent Seasons, 1988*

Sermon in a sentence

When you judge another you don't define them, you define yourself.

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