

State Representative

Don Hineman

Don's Legislative Update
November 3, 2016

Election Season Questions

As each of us ponders the choices we are about to make between now and next Tuesday, I feel compelled to offer my perspective on a few issues before us.

Dishonest and Misleading Campaign Tactics: Deception has become the norm in political campaigns these days, and that is unlikely to change. But the recent push by Kansas Democrat party operatives to paint responsible, independent-thinking Republican incumbents as close allies and lackeys of our present governor is really uncalled for. They are employing that tactic in a number of races statewide. They obviously are attempting to take advantage of multiple polls which indicate Governor Brownback is the least popular governor in the country, with favorability ratings hovering around 25%. When I learned that they were targeting my good friend and colleague Rick Billinger with their nonsense I decided I could remain silent no longer. The Democrat's postcards attempt to make an issue of how frequently Rick supported the same issues as Governor Brownback. That is a gross misrepresentation of the closeness of his ties to the governor.

The plain truth is that the vast majority of legislation adopted is uncontroversial and is supported by most all legislators as well as the governor. Consider this: Democrat Senate Majority Leader Anthony Hensley voted with the Republican majority (and hence Governor Brownback) 81% of the time from 2011 to 2016. It would certainly be a stretch to characterize Senator Hensley as a close ally of the governor, and yet that is exactly the absurd charge they are attempting to make regarding Republican incumbents like Rick Billinger, who have made responsibility, independence, and responsiveness to constituents the hallmarks of their public service.

Take a quick look at the record regarding some of the key initiatives which Governor Brownback has advanced. Representative Billinger voted against the overly aggressive income tax cut which the governor pushed through in 2012. Billinger voted against the block grant school finance bill, recognizing the negative effects it would have on rural western Kansas schools. He worked diligently in 2015 and 2016 to repeal the income tax exemption for pass-through business entities such as LLCs and sole proprietorships.

Rick Billinger has served as an excellent state representative, and I am confident he will continue that record of service in the Kansas Senate. Although I am unable to vote for Rick because Lane County is in another Senatorial district, much of my House district is in the 40th Senate District, in which Rick is a candidate. For those of you who reside in Logan, Gove, Trego, Thomas, Sheridan and Graham counties, I strongly urge you to sift



In This Issue:

**Election Season
Questions**

**Cowboy Logic
Quote of the Week
Sermon in a
Sentence**

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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

through the muck and reject the misinformation coming from Rick's democrat opponent and his supporters. In short: vote for Rick!

Judicial Retention: I see the same TV ads you do, so I know how difficult it is to make sense of the controversy over whether to retain appellate court judges and supreme court justices. Several high-profile murder cases are featured prominently in the ads calling for a no vote on retention. But here is a critically important point that the ads omit in an attempt to mislead. The convictions of these murderers have never been overturned! The controversy has been solely over legal issues regarding sentencing. That is much different than having their convictions overturned.

So here is what everyone needs to understand: Each of these individuals committed heinous crimes and was found guilty. They have not been released into society and they never will be. They remain locked up in prison, where some of them could once again face the death penalty. If that doesn't happen then they will rot there for the rest of their lives. They will never, ever be a threat to any Kansan again.

So why the big push to replace the judges and justices? I think I know. In fact I can use the very words of some of the supporters of nonretention to cast light on the issue. The remarks were made by some political leaders in response to the court's mandate last spring that the legislature must find the resources to address the issue of inequity of funding for public schools. The following two paragraphs are excerpted from my May 31 newsletter in which I discussed that issue:

Consider statements made by Governor Brownback and legislative leaders following release of the ruling. Governor Brownback: "The court is engaging in political brinksmanship with this ruling". House Speaker Ray Merrick: "The court has yet again demonstrated it is the most political body in the state of Kansas... Frankly, I find their actions disgraceful and hope Kansas voters will remember this in November when deciding whether these justices should be retained." Senate President Susan Wagle: "Certainly this unconstitutional overreach, and making students the collateral damage of judicial activism, should weigh heavily on the minds of all Kansas voters when many of these justices are up for retention in November."

These statements appear to confirm what I have long suspected. The constitutional crisis has been purposely crafted by Governor Brownback and legislative leadership in an attempt to discredit the judiciary. They hope to turn the Kansas voting public against the judiciary prior to the November election when five of the justices must stand for retention vote. The future of Kansas school children and everyone associated with K-12 education has been placed at risk as a result of the crass political scheming of these individuals and not through actions of the court. Certainly it took a great amount of courage for the justices to ignore the reality that their decision might lead to their removal from office and instead to perform what they perceived as their constitutional duty.

I understand how emotional this issue has been for the family and friends of the victims of these despicable individuals. That is very unfortunate. But it is equally unfortunate, and frankly disgusting, that some parties would use the misery of these families for crass political gain. Please do not be deceived. This is not about the sentencing of a handful of societal misfits; it is instead about continued adequate and equitable funding for our schools. In my opinion all five Supreme Court justices deserve to be retained, including Justice Caleb Stegall, the lone appointee of Governor Brownback. I know Justice Stegall well enough to know he possesses a keen legal mind. I believe he brings important philosophical balance to the bench, and I urge the retention of him and all four of his colleagues.

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

Constitutional Amendment Protecting the Right to Hunt and Fish:

This issue has been flying under the radar somewhat, but there is some confusion about the issue, and I believe it is important that we get it right. It started last session when the National Rifle Association requested introduction of a resolution to place before the voters of Kansas the question of whether the right to hunt and fish should be made part of the Kansas Constitution.

It first appeared before the House Federal and State Affairs Committee, of which I am a member. We passed the proposal out overwhelmingly, and it was subsequently passed by a large majority in both the House and Senate and now is before the people of Kansas to decide.

So is such an amendment really necessary? Not today, no. But we know that Kansas continues to grow more urbanized, and that the numbers of citizens who hunt and fish are not growing. That presents the possibility that some future Kansas legislature may one day decide to outlaw one or both activities. This amendment is designed to prevent that eventuality, and a number of states have already adopted just such an amendment.

Nothing changes if the amendment passes. Every hunter or fisher will still have to abide by regulations adopted by the legislature and Kansas Department of Wildlife, Parks and Tourism. All laws regarding trespass and access to state waters must still be respected. But adoption of the amendment will ensure that future generations of Kansas hunters and fishers will enjoy the same access to their hobby that we do today. For those of us eagerly anticipating the opening of pheasant season on November 12, that is a pretty big deal.

Unopposed: My own quest for re-election to the Kansas House of Representatives is pretty much assured, as I was unopposed in the August primary and am also unopposed for the general election next Tuesday. I would like to think the lack of opposition indicates support by the voters of the 118th district, and with some that is no doubt true. But perhaps some would-be challengers were simply deterred by the daunting task of campaigning in a nine-county district which is larger than the entire state of Connecticut! At any rate, I am thankful to serve the citizens of the 118th for two more years, and I am eager to get back to Topeka and begin working on the many challenges our state is facing. I would be grateful for your vote on Tuesday.

Cowboy Logic

I used to be indecisive; now I'm not so sure.

Quote of the day

"Whoever is careless with the truth in small matters cannot be trusted with important matters." - **Albert Einstein**

Sermon in a sentence

"Bad times, hard times – this is what people keep saying; but let us live well, and the times shall be good. We are the times; such as we are, such are the times." – **Saint Augustine**

Representative Don Hineman

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