

Brownback promises income taxes will continue to fall

GOP governor pleased with first-term changes

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By **Jonathan Shorman**

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Gov. Sam Brownback, despite facing a massive revenue shortfall, defiantly promised to continue the march toward zero income taxes even as his policy is expected to keep billions out of state coffers in the coming years.

In his State of the State address Thursday night, Brownback said states with no income taxes consistently grow faster than those with high income taxes.

Brownback also said his two-year budget proposal will balance and leave the state with revenues exceeding expenditures. The Republican governor's proposal will be rolled out Friday, but he gave no indication Thursday night how exactly he planned to accomplish that. His speech didn't rule out tax increases in other areas besides income.

Kansas faces a \$279 million budget deficit during the remaining part of the fiscal year, which ends in June. The governor has already cut agency budgets and requested fund transfers to make up for the revenue shortfall. But the revenue decline is expected to continue into the next fiscal year, and experts predict revenue will be hundreds of millions lower than previous expectations.

Brownback acknowledged recent information presents a "clear challenge."

Ultimately, Kansas is expected to lose nearly \$5 billion in revenue over seven years because of income tax cuts championed by Brownback and a Republican-led Legislature.

"For the past several weeks, we have been in consultation with government, business and industry leaders regarding our shared fiscal concerns. They have been generous with their time and frank with their advice. Tomorrow I will present to the Legislature a proposed two-year budget that is in balance — with revenues exceeding expenditures each year. And we will continue our march to zero income taxes," Brownback said, prompting a sustained standing ovation from Republicans.

Brownback also called for a state constitutional amendment to require the state to pay its debt before anything else.

Senate President Susan Wagle, R-Wichita, indicated the Senate stood with Brownback on his pledge to continue reducing income taxes.

"Clearly, I can say my Senate's very pleased he's keeping intact the income tax cuts we've already enacted and the ones we've recently enacted on Jan. 1, 2015," Wagle said.

On education, Kansas should take a "timeout" from its school finance formula and appropriate money directly to school districts, Brownback said. He said the formula should be repealed while the Legislature crafts a more modern formula.

Brownback said the formula has been under litigation for the past 40 years. However, the formula in its current form has largely been around since 1992.

“That formula should reflect real-world costs and put dollars in classrooms with real students, not in bureaucracy and buildings and artificial gimmicks,” Brownback said.

“That formula should be about improving student achievement and school accountability, not bureaucratic games.”

Late last year, a three-judge panel ruled the state’s school finance formula isn’t adequately funded. The decision, in Shawnee County District Court, didn’t fault the formula itself, though. The judges provided potential funding scenarios that could cost the state an additional \$548 million to \$771 million.

The bottom range of reasonable per-pupil state aid is between \$4,654 and \$4,980, the judges ruled. Currently, the base state aid per pupil stands at \$3,852.

Wagle said direct-to-district appropriation while the Legislature is crafting a new formula would likely operate as a block grant program, and she called the idea feasible.

“At this point in time if we just block grant the money and give them flexibility within that structure that would allow us some time to fix it,” Wagle said.

House Minority Leader Rep. Tom Burroughs, D-Kansas City, offered a competing vision for Kansas’ future.

“We want to be a part of the solution, but only if the governor offers real solutions,” Burroughs said.

“That means we must honor our moral obligation — and court order — to restore funding to our schools. It means we must protect the investments we know strengthen our economy. And it means we must re-establish a responsible, competitive tax code where everyone pays their fair share.”

Washburn University political science professor Bob Beatty, who was in the House chamber as Brownback delivered his address, said the governor was sending a message to those outside the state that his conservative vision is moving forward.

“He very much talked about conservative ideas of less government. I think that was the key theme of his entire speech: less government, less government,” Beatty said.

Social Services

Brownback trumpeted a 50 percent decline in the number of individuals on food stamps over the past four years. Kansans want the dignity of work and a better life for themselves and their families, he said. Under his tenure, the number of people receiving Temporary Assistance for Needy Families has fallen from 38,963 in 2011 to 17,681 in 2014.

Much of the decline, though, occurred after the administration instituted stricter rules for recipients.

Urban Opportunity Zones

Brownback also called for the expansion of so-called Opportunity Zones to urban areas of the state — including Kansas City, Wichita and Topeka. Individuals who move into the zones are eligible for income tax waivers and student loan forgiveness.

The idea for Urban Opportunity Zones isn’t new. Brownback called for the creation of the zones during his re-election campaign.

Rep. Lane Hemsley, R-Topeka, said such zones could play a role in boosting Topeka’s economy.

“My district needs help. It needs a great deal of help. So I am for any opportunity that will deliver not only my district but the greater Topeka area an opportunity to grow and gain traction again,” Hemsley said.

“We just need to get moving in some direction, and I think the direction is — if it’s in that piece and if it’s in any other piece, multi-faceted piece that would allow Topeka to grow and prosper, I’m in.”

Colyer

Not addressed in the speech was the federal grand jury investigation into loans to Brownback’s re-election campaign. The investigation likely focuses on loans made by Lt. Gov. Jeff Colyer to Brownback’s re-election campaign. Colyer made multiple \$500,000 loans just before finance reporting deadlines. The loans were then repaid days later. The final loan made by Colyer has been repaid in part.

The governor’s office has said the campaign followed the law.

As he did in his inaugural address Monday, Brownback spoke words of support for Colyer on Thursday night.

“Over the past several years, in addition to providing medical care in war zones around the world, Lt. Governor Colyer has led our efforts to improve services and control costs in Medicaid. The results have been good,” Brownback said.

Judiciary

The governor said the way Kansas selects Supreme Court justices needs to be changed. He proposed a constitutional amendment that would either allow for the direct election of justices or use the federal model, in which the governor appoints justices who are confirmed by the Senate.

Currently in Kansas, a nominating commission provides potential candidates to the governor, who then selects one. The nominating commission used to be used for appeals courts picks, too, but that changed under the Brownback administration.

Brownback also said local elections should be moved to the fall. Republican Secretary of State Kris Kobach has publicly endorsed the idea. Proponents argue it will increase turnout and save money. Critics say it would, in effect, make local elections, many of which are currently nonpartisan, into partisan contests.

KanCare executives confident in quality of Medicaid services

Legislative briefing sidesteps complaints, financial status

Posted: [January 15, 2015 - 3:37pm](#)

By [Tim Carpenter](#)

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Executives of the three managed-care companies operating Medicaid in Kansas offered laudatory self-analysis Thursday of services delivered to elderly and disabled people in Kansas’ privatized system.

The joint meeting of the House and Senate public health committees featured captains of Amerigroup, United Healthcare and Sunflower. Each spoke of the quality and variety of services provided under KanCare, but didn’t delve into details about complaints from individuals and health providers regarding payment delays and access to services.

Nor did the executives talk about the financial status of the companies. The managed-care companies lost about \$100 million in the first year of KanCare, while losses were \$72 million in the initial six months of 2014.

“We're committed to Kansas,” said Mike McKinney, chief executive at Sunflower. “We're committed to the people who live in Kansas. It also means the taxpayers.”

He said “absolutely, unequivocally” the people on Medicaid in Kansas were better off under the system run by the for-profit insurance companies at the direction of Gov. Sam Brownback’s administration.

Tim Spilker, president of United Healthcare, said the company endured a rough 2013 in implementing KanCare.

“We felt 2014 was a year of operational stabilization,” he said.

Rep. Susan Concannon, a Republican from Beloit, said details of KanCare operations need to be extensively explored by the Legislature.

She said her constituents had expressed the most frustration with Sunflower.

“We've painted a pretty rosy picture in here today,” she said.

Sen. Mary Pilcher-Cook, a Shawnee Republican and chairwoman of the Senate Public Health and Welfare Committee, said lawmakers had keen oversight responsibility with KanCare.

“We've got to stay on top of this and make sure our Kansas citizens are served well,” Pilcher-Cook said.

Education officials react to speech of Brownback's budget director

'From a school viewpoint, the idea of just completely starting over is a lot more challenging'

Posted: [January 22, 2015 - 6:21pm](#)

By [Angela Deines](#)

Special to the Capital-Journal

After hearing from a key member of Gov. Sam Brownback’s cabinet Thursday, Kansas superintendents and other education officials said they didn’t feel they had learned more about proposed changes for the state’s school funding process for the next two fiscal years.

“There really wasn’t anything new; there wasn’t any detail,” said Tim Hallacy, superintendent of Silver Lake Unified School District 372. “Right now it’s just undefined block grants that we’re looking at, and no one knows how that will work.”

Shawn Sullivan, the governor’s budget director, said that more details about Brownback’s fiscal year 2016 \$3.009 billion block grant and fiscal year 2017 \$3.007 billion block grant proposals for K-12 education should be coming in the next couple of weeks in the form of “skeleton” legislation to fund the state’s 286 school districts.

“There is no reason a block grant would be a permanent solution,” Sullivan told a crowd of about 200 attendees of the Kansas Association of School Boards’ government relations conference. “It would provide an incentive for everyone to come to the table and work on a long-term solution. It may not.”

Sullivan said that two-year block grants, if legislators ultimately approve them during this legislative session, would begin this July. He said they would create a “time out” from what many legislators believe is a complicated and hard-to-understand funding formula that, except for some revisions, has been in place since the early 1990s and what Sullivan said has picked “winners and losers.”

“This is a starting point,” he said about the block grant proposal. “There’s still a lot of details to put the meat on the bones.”

Mark Tallman, a KASB lobbyist, said he hasn’t seen an alternative funding formula, and many questions remain about how the block grants would be distributed to districts and how they would affect the revenue generated by local option budgets.

“That (block grants) really doesn’t speak to what will happen to the local option budget,” he said. “Is it the same amount, is it larger, smaller, is it capped? All these things about the LOB are driven by your general fund, which is driven by base state aid.”

Current per-pupil base state aid stands at \$3,852.

Tallman said the sentiment among many legislators is that the current school funding formula would be easier to rewrite than to have to understand its complexities.

“The problem for school districts, however, is we have to live in the world where we are,” he said. “From a school viewpoint, the idea of just completely starting over is a lot more challenging because we’re going to have to live with the consequences of that.”

A low murmur of chatter could be heard when Sullivan mentioned the governor’s proposal to create a “rainy day fund” if the state’s revenue growth exceeds 102 percent. For the past several years, conservative lawmakers have criticized local school districts for having contingency funds and have been vocal in their belief that district officials should spend down those reserves.

Sullivan said Brownback doesn’t have a position on how districts spend their contingency reserves but is “open to the will of the Legislature” on the issue. He said the governor’s proposed “budget stabilization fund” is unrelated to districts’ reserves.

“What we’re trying to do through the tax policy is create, through revenue growth, a rainy day fund,” Sullivan said, “so if we get to a situation again in a couple of years that there are resources to pull from instead of where we are now.”

In the meantime, Hallacy said he is “extremely tired of delivering bad news” to his school board and community about “huge tax cuts and declining revenues” as they affect USD 372’s funding.

“We’ve known these tough times are coming and will only get worse,” he said. “The lights are on, things are going great in the classroom, we have activities. From that perspective, everything looks good from the curb. Behind the scenes, that’s where it gets really hard and that’s where we’re struggling at.”

Chief justice rejects governor's Supreme Court proposal, highlights value of court system

By **Jonathan Shorman**

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The Kansas Supreme Court’s chief justice made a case for the value of the state’s judicial system during his annual address Wednesday. The speech, Chief

Justice Lawton Nuss said, marked an attempt to steer clear of the whining over the budget found in earlier statements.

After the State of the Judiciary address, Nuss also argued against Gov. Sam Brownback's proposal to change how Supreme Court justices are selected by making their appointments subject to legislative approval.

"I just thought, ever since January 2010, I was afraid I was turning into a whiner and a complainer, and I just decided instead of that approach we'll try the other one," Nuss told reporters.

The speech itself largely steered clear of any controversial topics. Nuss highlighted the different roles in the judicial system, from judges to court reporters and administrative assistants, and the value they bring to Kansans. About 35,000 criminal cases were filed in 2014, Nuss said, and the court system handled more than 9,000 probate cases and nearly 1,800 adoptions.

Video: Chief Justice Lawton Nuss responds to Gov. Sam Brownback's proposals for changing how Kansas Supreme Court justices are chosen.

Nuss said his message about the value of the courts is timely given Brownback's inaugural speech last week. He referenced a statement from the inaugural speech when Brownback said: "Every human — especially the most vulnerable, the unborn, the infirm, those ravaged by age and those desperate in despair — should be protected in law, loved, and told repeatedly of their incredible beauty and worth."

Nuss told reporters the judiciary faces furloughs during the remaining months of the current fiscal year, which ends July 1, unless the Legislature acts. He said the judiciary anticipates a shortfall of between \$2.5 million and \$3 million because of a decline in revenue from fees.

Nuss called on lawmakers to free up a \$3 million appropriation to expand electronic filing to cover the shortfall.

A week ago, Brownback told lawmakers during his State of the State address that Supreme Court justices should be selected using the federal system in which governors appoint justices and the Senate gives its consent, or should be elected by the people.

"With the court involving itself in so many public policy issues, it is time the selection process be more democratic," Brownback said.

Nuss rejected the argument that the court was undemocratic. He said currently anyone qualified in law in the state can apply to be a justice.

"The other systems that were mentioned by the governor — electing Supreme Court justices — I don't think you can pick up a newspaper or watch a TV program without someone talking about how poorly that works in states that do

elect their justices. You have justices for judicial candidates going around the state asking for money, perhaps, or trying to raise money,” Nuss said.

The court has been in tension with the Legislature and Brownback for the past several years. The State of the Judiciary address was delivered for the first time last year in the Supreme Court chambers, a change that was continued this year.

During the fall gubernatorial campaign, the Supreme Court became an issue in the race between Brownback and Democrat Paul Davis. In a TV ad, the Brownback campaign slammed “liberal judges” for throwing out death penalty convictions against Jonathan and Reginald Carr, two brothers who killed four people in Wichita in 2000. The brothers remain in prison, however, on capital murder sentences that weren’t overturned.

Nuss declined to discuss the use of the court in the governor’s race.

“I am not going to comment on that,” Nuss said.

Hensley: Lawmakers must fix governor's 'failed experiment'

Senator says tax-cut frenzy, budget shortfalls threatening schools

Posted: [January 15, 2015 - 7:06pm](#)

By [Tim Carpenter](#)

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Senate Democratic Leader Anthony Hensley’s rebuttal Thursday to the State of the State speech rebuked Gov. Sam Brownback for misleading Kansans about the enormity of the budget financial problems and concealing how tax cuts threaten education and other vital state programs.

Hensley said in the recorded response that Brownback was fond of telling voters during last fall’s re-election campaign that four years of his leadership as governor had placed the state in “great shape financially” and that political critics were offering nothing more than “a bunch of lies.”

Less than a week after winning the November race, however, the governor had to acknowledge a \$280 million deficit in the current fiscal year’s budget and a \$436 million shortfall in the next fiscal year’s budget, Hensley said.

Hensley said Brownback reacted as if he hadn’t been informed long ago by his budget staff of a looming budget calamity.

“Well, governor, that’s an insult to our intelligence,” Hensley said. “The governor has expressed little concern over this crisis and has indicated that state government simply needs to do what average Kansas families and businesses do every day — live within its means.

“The problem with this analogy is that no Kansas family or business would voluntarily cut off a source of their income, drain their savings account, rob their retirement funds and still expect to have a financially secure future.”

Brownback had announced a plan to close the current fiscal year gap by imposing a 4 percent reduction in agency spending, withdrawing \$96 million from the Kansas Department of Transportation, seizing \$55 million from a Medicaid pharmacy rebate program and claiming \$41 million from the Kansas Public Employees Retirement System. His State of the State speech didn't provide more details, but he did declare resolve to continue pushing down state income taxes.

Hensley said the governor's stewardship of the K-12 public education system has resulted in larger class sizes, school closures, layoffs of teachers and falling student test scores.

"Many of us in the Legislature and most Kansans understand that strong public schools are the very foundation of a strong economy," Hensley said.

The real solution to the financial predicament wasn't a raid of the state's highway fund or to renege on a bipartisan plan to improve solvency of the state's pension system, according to Hensley.

"A real solution is to fix the source of the problem — Governor Brownback's failed economic experiment," Hensley said.

Hensley urged television viewers to maintain a skeptical view of Brownback's evaluation of the state's welfare.

"How can Kansans believe it when he has deliberately and repeatedly misled us?" Hensley said. "Especially, now that the news media has reported a federal grand jury is investigating loans made to the Brownback re-election campaign."

A federal grand jury is gathering information about a series of \$500,000 loans Lt. Gov. Jeff Colyer made to the Brownback re-election campaign.

Hensley said adoption of bills in 2012 and 2013 by Brownback and the Republican-dominated House and Senate eliminating income tax on owners of 190,000 businesses and reduced individual income tax rates had catastrophic consequences for the state's revenue stream.

"Last year alone," the senator said, "our state's revenue dropped by \$700 million due to Sam Brownback's irresponsible and reckless economic experiment."

Hensley said Colorado, Nebraska and Oklahoma reached pre-recession job levels more than a year before Kansas. The Missouri side of the state line in Kansas City has four times the job growth than the Kansas side, Hensley said.

Economists predicted last week the nation would see rapid growth, Hensley said, but Kansas would remain stagnant.

"Yet, the governor claims the state can create 100,000 new jobs over the next four years, when in November we lost 4,100 private-sector jobs," he said. "We need jobs. Good paying, quality jobs. The governor and his allies have not, and cannot, provide them if we stay on our current path."

Hensley also criticized the governor for stalling expansion of Medicaid eligibility to 150,000 Kansans. The number of homeless children attending Kansas schools has tripled since the recession, he said.

Lesser prairie-chicken conservation plan receives windfall

Spring 2014 estimate says just 22,415 lesser prairie chickens remain in their natural habitat

Posted: [January 15, 2015 - 12:37pm](#)

By [The Associated Press](#)

Kansas fish and wildlife officials are saying that the plan to protect the endangered lesser prairie-chicken has raised nearly double the expected revenue in its first year.

The plan collects funds from fees on new developments in the bird's natural habitat and dedicates that revenue to conservation efforts. Fish and wildlife officials told lawmakers Thursday that the effort has collected \$36.8 million since last year, far exceeding the plan's goal of \$20 million.

According to a spring 2014 estimate, just 22,415 lesser prairie chickens remain in their natural habitat across parts of Kansas, Colorado, Oklahoma, Texas, and New Mexico. The five-state plan aims to triple the bird's population to 67,000.

Kobach not subpoenaed in grand jury inquiry of loans to Brownback campaign

Secretary of state says he hasn't been called to testify

Posted: [January 15, 2015 - 3:35pm](#)

By [Jonathan Shorman](#)

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Secretary of State Kris Kobach, whose office plays a role in campaign finance reporting, said he hasn't been subpoenaed in a federal grand jury investigation into loans made to Gov. Sam Brownback's re-election campaign.

Kobach, a Republican, told The Topeka Capital-Journal neither he nor his office had received any subpoenas related to the investigation.

The investigation likely focuses on loans made by Lt. Gov. Jeff Colyer to Brownback's re-election campaign. Colyer made multiple \$500,000 loans just before finance reporting deadlines. The loans were then repaid days later. The final loan made by Colyer has been repaid in part.

The governor's office has said the campaign followed the law.

The existence of the investigation was disclosed last week with the disclosure of a subpoena issued to Carol Williams, director of the Kansas Governmental Ethics Commission. The subpoena asked Williams to bring information related to loans made to the Brownback campaign during 2013 and 2014.

The subpoena indicated Williams was scheduled to testify Wednesday, though she didn't appear at the Topeka federal courthouse. Williams declined Wednesday to speak about the subpoena.

Brownback calls for halt to abortion in Kansas

GOP governor declares procedure 'killing' of children

Posted: [January 22, 2015 - 1:06pm](#)

By [Tim Carpenter](#)

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Gov. Sam Brownback joined dozens of state legislators at a rally Thursday to denounce abortion as morally unjustified and to endorse a Senate bill that would impose a Kansas ban on a specific method of aborting fetuses.

“Let us see an end to the killing of children in Kansas,” Brownback said during the Rally for Life event outside the Capitol. “The most pro-life state in America — Kansas.”

He expressed gratitude to House and Senate members who had approved 13 bills over the past four years designed in some way to limit access to legal abortion in the state. He signed them all and endorsed a possible 14th bill — a measure outlawing the “dismemberment” abortion technique in the second trimester.

“That bill should pass,” Brownback said. “I’ll sign it.”

Events at the Statehouse in Topeka mirrored a larger march in Washington, D.C., on the 42nd anniversary of the U.S. Supreme Court decision in *Roe v. Wade* that affirmed a woman’s right to an abortion. The landmark ruling established a woman's right to privacy under the 14th Amendment extended to abortion rights.

Laura McQuade, president and chief executive officer of Planned Parenthood Advocates of Kansas and Mid-Missouri, said state legislatures and Congress should stop meddling in access to reproductive health care. She criticized lawmakers in Kansas and Missouri for campaigns designed to undermine the Supreme Court’s 1973 ruling.

“Since then,” McQuade said, “lawmakers across the country and especially in Kansas and Missouri have been working tirelessly to pass laws that eliminate access to safe and legal abortion, and deny women their constitutional rights to make their own private medical decisions.”

She said elected public officials pressing for wider restrictions were “on the wrong side of medical science, the wrong side of public opinion and the wrong side of history.”

Kansas Lt. Gov. Jeff Colyer and state Sen. Garrett Love, R-Montezuma, addressed about 1,000 people drawn to the Capitol rally by an anti-abortion message. Many of the people in attendance appeared to be high school students.

“We need to tell the world that life rocks,” Colyer said.

In the Senate, Love agreed to sponsor the dismemberment abortion measure, sought by Kansans for Life, that seeks to block about 600 of these abortions performed annually in Kansas.

“This is a very gruesome type of abortion,” Love said. “Protecting the most defenseless among us has always been a passion for me.”

Brownback also addressed for the crowd brewing end-of-life controversies regarding assisted suicide and an apparent increase in suicide among elderly Americans. He said values that argue against abortion apply to debate about assisted suicide.

“When people are in a distressed situation, despairing — the answer is not death. The answer is always life,” the governor said.

Haley touts bill imposing 'hate' crime sentences

GOP colleague skeptical Senate bill can gain traction

Posted: [January 22, 2015 - 4:05pm](#)

By Austin Fisher

Special to The Capital-Journal

Democratic Sen. David Haley urged Senate colleagues Thursday to pass a bill that would double the maximum prison sentence for crimes motivated by the victim's race, ethnicity, nationality or sexual orientation.

Testifying before the Corrections and Juvenile Justice Committee, Haley said state lawmakers should "send a stronger message to those that seek to cause pain and suffering upon citizens of our state for exercising their God-given right of individuality."

The bill surfaced at the Statehouse in Topeka nine months after a man identified as a white supremacist killed two people at a Jewish community center and a third at a nursing home in Johnson County.

Haley's legislation would require Attorney General Derek Schmidt's office to collect and publish data on "hate" crimes. Schmidt also would be responsible for the training of Kansas law enforcement officers in identifying, responding and reporting hate crime.

The attorney general estimated the database and training would cost \$162,000 in the upcoming fiscal year, but also require the hiring of two full-time staff.

Haley, who serves a district in Kansas City, Kan., said the attorney general's financial estimate was "completely misleading and wholly inaccurate."

Sen. Forrest Knox, a Republican from Altoona who serves on the committee, questioned the purpose of the bill. He asked Haley whether it was driven exclusively by the Johnson County slayings.

"Is this the only instance where we're saying, 'Because of what you believe or because of how you perceive, we're gonna make this a stiffer penalty?'"

Knox said the measure was unlikely to gain much traction in the current Republican-dominated Senate.

"Apparently, there was a lot of interest 11 or 15 years ago," Knox said. "I personally don't think it's an issue, but I think if you commit a crime you need to pay the price."

Haley said the price criminals paid in Kansas when acting upon prejudice was low.

"These are actions," Haley said. "These are people who act on a rational or irrational belief that there's a distinction between them as an actor and the victim."

Medical pot advocates testify on legalization bill

Opponents set to deliver their view Thursday at Capitol

Posted: [January 21, 2015 - 3:29pm](#)

By Tim Carpenter

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Parents of children with profound medical challenges and adults with debilitating illnesses begged a Senate committee Wednesday to set aside political reservations and advance legislation to legalize consumption of marijuana in Kansas for medicinal purposes.

Topekan Tiffanie Krentz, mother of 10-year-old JJ who has a severe form of epilepsy known as Dravet syndrome, was among a cadre of parents to deliver emotional appeals to the Senate Public Health and Welfare Committee.

Krentz said her family had done everything in their power to give the boy the best quality of life. She took him to see every doctor possible. He has ingested 16 of the 26 classes of anti-epileptic medications. He was provided with a range of therapy. Now, he is a resident of Parsons State Hospital. She doesn't know whether cannabis will help her son, but the state's prohibition on medical marijuana dispensaries makes it impossible to find out.

"I am terrified because we have nothing left to give JJ," she said. "Please, look at these other children and give these families more hope than we had."

Sen. Mary Pilcher-Cook, a Shawnee Republican and chairwoman of the health committee, said the testimony was received during an "informational" hearing. No regular hearing on the subject is planned on Senate Bill 9 or any other legalization measure in the Republican-dominated committee, she said.

"We just heard one side today," Pilcher-Cook said. "We need to hear the other side."

Opponents of a legalization bill are scheduled to testify Thursday to the Senate committee.

Twenty-three states and the District of Columbia have legalized some form of medicinal marijuana, while Colorado and Washington states have gone the next step of implementing recreational marijuana sales.

Kiley and Gavin Klug, residents of the Kansas community of Odin, attended the hearing with her 7-year-old son Owen. At six months of age, Owen had his first seizure. It took years of testing, which included an exam that showed the boy endured more than 200 seizures in an 18-hour period, but he was diagnosed with Dravet syndrome.

His future development depends on controlling the seizures, which run from 10 to 40 per day, Kiley Klug said.

"This is what I know," she said. "My husband and I are born and raised Kansans. We are practicing Catholics. We are conservative. We are educated. We have high moral standards. We obey the laws of this great state.

"But above all of those things, we are desperate parents who will do anything for our child. We have been backed up against a wall. Owen is honestly and literally out of options in the state of Kansas."

She said her son couldn't await government-sanctioned research or speeches about the potential side effects of medical cannabis.

"We know this medicine has worked for other children just like Owen," Kiley Klug said. "Owen deserves this same chance to thrive. Please, pull back all of the layers to this controversial issue, clear your minds of all the negativity and stigma, and look this little boy straight in the eye. Be his hero today."

Carl Williams, speaker pro-tem of the Kansas Silver Haired Legislature, said the organization representing more than 450,000 Kansans who are 60 years of age or older endorsed a resolution urging the Kansas Legislature and Gov. Sam Brownback to legalize medical marijuana.

He said it might surprise some people that a group of elderly Kansans support such reform.

"We believe it is time to replace 80-plus years of misinformation about marijuana with truthful, scientific, fact-based proof that it will help thousands of Kansans who suffer from a variety of medical conditions," Williams said.

Hutchinson resident David Mulford, who suffers from debilitating back, chest and arm spasms of unknown origin, said he had tried every available prescription and home remedy that offered potential. He can't take opioid-based medications and is allergic to other medications.

“My physicians have literally and figuratively given up hope of finding out what is behind this condition,” Mulford said. “Where no other medication worked, there was cannabis. It stopped the spasms nearly instantly and subdues the pain I live with not to exclusion but to a point that I can deal with it.”

Senate panel takes up election bills vetoed by Brownback

Measures ease reporting on low-cost campaigns, limits on part-time lobbyists

Posted: [January 21, 2015 - 12:02pm](#)

By [Tim Carpenter](#)

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Two election reform bills vetoed by Gov. Sam Brownback earned bipartisan praise Wednesday as reasonable updates to Kansas campaign finance law left unchanged for decades.

Senate President Susan Wagle, R-Wichita, told colleagues on the Senate Ethics and Elections Committee that she would support the measures reforming public disclosure requirements of individuals performing modest part-time lobbying.

“I support both of them,” Wagle said. “Have we had any communication with the governor?”

Sen. Mitch Holmes, a St. John Republican and chairman of the committee, said there had been no direct discussion with Brownback on the idea of inserting Senate Bill 27 and Senate Bill 28 back into the legislative process.

The 2014 Legislature overwhelmingly adopted both reform pieces, and the House overrode the governor's veto on Senate Bill 27 but the Senate never took up that challenge.

Carol Williams, executive director of the Kansas Governmental Ethics Commission, said Senate Bill 27 would allow candidates for school board, community college, township position as well as state office to spend as much as \$1,000 in a primary or general elections without filing a detailed finance report. The current limit, in place since 1975, is \$500.

Williams said the antiquated cap made it difficult for candidates running modestly financed campaigns to get a message out when competing with third-party organizations with unlimited resources.

A separate provision of that bill would designate the executor or administrator of a deceased candidate's estate as responsible for distributing remaining funds in a campaign account. Currently, Williams said, disputes have arisen between spouses of the deceased and campaign treasurers about allocation of that money.

“We all support the provisions here,” said Sen. David Haley, D-Kansas City.

Under Senate Bill 28, the financial threshold for what constituted a “lobbyist” under Kansas law would be modified to anyone spending more than \$500 in a calendar year, exclusive of personal travel and subsistence expenses, on lobbying the state.

The existing limit in this statutory definition is \$100, a level so low it fingered individual Kansans — not professional lobbyists — who bought a single newspaper advertisement that expressly urged politicians to vote on a policy issue.

“When this \$100 limit was put in, postage was 10 cents,” said Sen. Steve Fitzgerald, R-Leavenworth. “I would think \$1,000 would be more appropriate.”

He said the cap served to chill free speech among Kansans attempting to inform legislators or voters.

Williams said she was under the impression a bill would be introduced in the House to set the expenditure level at \$1,000 for those not performing regular lobbying.

Kansas lawmakers to hear bills on hate crime, medical marijuana, multi-year teacher contracts

Legislators also to delve into tweaking campaign finance law

Posted: [January 19, 2015 - 6:04pm](#)

By [Tim Carpenter](#)

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The Kansas Legislature delves Tuesday into a four-day work week with hearings on medicinal marijuana, hate crime, teacher contracts and campaign reform with the state budget deficit puzzle serving as imposing backdrop.

Sen. David Haley, D-Kansas City, sponsored a bill — Senate Bill 1 — that would instruct judges to double the sentence for a person convicted of a crime motivated entirely or in part by “race, color, religion, ethnicity, national origin or sexual orientation” if the conviction carried a presumptive term of imprisonment.

If the underlying crime carried a term that didn’t require prison, the sentence should be elevated to presumptive imprisonment with double the maximum duration of time behind bars. The measure is to be heard Thursday by the Senate Corrections and Juvenile Justice Committee.

The House Appropriations Committee and the Senate Ways and Means Committee will delve into the state’s \$280 million deficit in the current fiscal year and a larger shortfall in the fiscal year starting July 1.

Gov. Sam Brownback recommended filling portions of the black holes with large transfers from the Kansas Department of Transportation and the Kansas Public Employees Retirement System. The top executives of both agencies will address House budget committee members Tuesday.

Kansas Supreme Court Chief Justice Lawton Nuss is set to deliver the State of the Judiciary speech Wednesday at the Judicial Center in Topeka. The speech had been delivered off and on at the Capitol, but Speaker Ray Merrick, R-Stilwell, set precedent in 2013 by not allowing the address to occur in the House chamber.

“It’s just another thing to take up time,” Merrick said at the time. “I just think it’s time that could be put to better use on other things.”

The Senate Public Health and Welfare scheduled two days of hearings on a long-dismissed proposal to allow legal use of marijuana for medicinal reasons in Kansas. Dozens of other states allow consumption for physician-approved health reasons, and proponents will step up Wednesday to argue why Kansas ought to join those ranks. Opponents of the concept are set to make the case Thursday.

Election reform is on the agenda of the Senate Ethics and Elections Committee. The panel will devote time Wednesday to Senate Bill 27 allowing candidates to allocate contributions to “any organization which is recognized as a 501(c)(3) tax-exempt organization.”

The panel also will examine Senate Bill 28 that would change the definition of lobbyist to any person who makes expenditures of \$500 or more in any calendar year. The current cap is \$100.

Senate bill seeks ban on 'dismemberment' abortions

Planned Parenthood vows to challenge the measure at every step

Posted: [January 14, 2015 - 10:43am](#)

By [Tim Carpenter](#)

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An anti-abortion lobbying organization joined with state Sen. Garrett Love to introduce a bill Wednesday that would make Kansas the first state to ban a method of abortion that involves dismemberment of the fetus.

There were 578 “dilation and extraction” abortions performed in Kansas during 2013, but those procedures amounted to only 8 percent of the abortions that year in Kansas.

“Kansans will recoil when they actually comprehend this horrific abortion method,” said Jeanne Gawdun, senior lobbyist with Kansans for Life. “This model legislation includes a strict emergency exemption, criminal and civil penalties, and private protection for court proceedings.”

Gawdun said the legislation wasn’t intended to be a vehicle for overturning the U.S. Supreme Court’s decision in 1973 that legalized abortion nationwide. The Kansas legislation will survive inevitable constitutional challenge, Gawdun said, because the measure is structured to reflect the Supreme Court’s sentiment in a 2007 case upholding a federal ban on partial-birth abortions.

“In the Capitol,” said Love, a Republican from Montezuma, “we hear most from those impacted by our decisions. But when it comes to the innocent lives of unborn children, there’s a problem. They can’t speak for themselves.”

He said advocates of the ban have engaged in discussions with House and Senate leadership about advancing the bill.

Laura McQuade, president and chief executive officer of Planned Parenthood Advocates of Kansas and Mid-Missouri, said Kansas women were smart enough to make decisions about their lives and don’t need “more legislation intended to judge, coerce and restrict their decisions.”

“Planned Parenthood will expose this legislation for what it is: an intrusive, insulting measure that does nothing to improve the quality of women’s lives or health care,” McQuade said.

Julie Burkhart, founder and chief executive officer of Trust Women and South Wind Women’s Center, said the Senate bill was an inflammatory attempt to potentially ban most second trimester abortion procedures in Kansas.

“This is a radically unconstitutional attempt to ban abortion in the state of Kansas,” Burkhart said. “Such a ban would make it much more difficult for women from Kansas, Oklahoma, Missouri and Texas to receive necessary health care.”

“Women in these states often have to travel long distances to receive abortion services already due to clinic closures and restrictions,” she said.

Sen. Mary Pilcher-Cook, chairwoman of the Senate Public Health and Welfare Committee, said she intended to conduct hearings on the bill. The Republican said hearings might begin in several weeks.

Text of the Unborn Child Protection from Dismemberment Abortion Act described the procedure as “extracting him or her one piece at a time from the uterus through use of clamps, grasping forceps, tongs,

scissors or similar instruments that, through the convergence of two rigid levers, slice, crush and or grasp a portion of the unborn child's body to cut or rip it up."

Gawdun said the method targeted by the bill was a "violent and dehumanizing procedure that confuses the medical, legal and ethical duties of a physician to preserve and promote life."

Senate bill expands background checks on gun purchases

Checks would be necessary at gun shows, Internet sales

Posted: **January 15, 2015 - 1:02pm**

By **Tim Carpenter**

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A bill introduced in the Senate would require background checks in Kansas on people purchasing guns over the Internet and at gun shows.

Sen. Oletha Faust-Goudeau, D-Wichita, and Rep. Barbara Bollier, R-Mission Hills, are leading advocates of legislation that would expand background checks in the state beyond sales conducted by licensed gun dealers.

The bill introduced Wednesday by Faust-Goudeau in the Senate Federal and State Affairs Committee wouldn't apply to private, unadvertised transactions between friends, relatives or acquaintances.

Bollier said her motivation to bring about statutory reform was to address the public health issue of gun violence.

"The bill is excellent," Bollier said. "I very much support it."

The Republican-led House and Senate have typically resisted expanding background checks on gun sales.

The Senate bill was introduced at the urging of the Northeast Kansas Chapter of the Brady Campaign to Prevent Gun Violence.

"This common-sense measure would help keep more guns out of the hands of dangerous people not legally permitted to own them," said Loren Stanton, chapter president of the Brady Campaign. "This in no way infringes on the rights of citizens to purchase firearms if they are qualified to do so."

Federal law prohibits possession of guns by felons, domestic abusers and some people with serious psychological problems.

Obama proposing college affordability changes ahead of KU visit

By **Jonathan Shorman**

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Just two days before he speaks at Kansas' largest university, President Barack Obama will propose boosting financial assistance to college students by expanding education tax credits in his State of the Union address Tuesday night.

But one education tax deduction would be eliminated as part of the administration's plan, an idea drawing the ire of Kansas Rep. Lynn Jenkins.

The White House said Obama's Thursday visit to The University of Kansas in Lawrence — the first by a sitting president in more than 100 years — will highlight the themes of Obama's State of the Union speech.

The State of the Union will include plans to raise some taxes affecting wealthy Americans while lowering tax burdens for middle- and lower-income Americans. His proposals will face a skeptical, if not hostile, Republican-controlled Congress.

Of high interest to Obama's KU audience, though, will be calls to simplify education tax incentives.

Obama's higher education proposals center on changes to the American Opportunity Tax Credit, which was created by Congress as part of the 2009 stimulus act. It was designed to replace the HOPE credit, which helped students during the first two years of college. The AOTC allows students to claim up to \$2,500 each year in education expenses, while receiving up to a \$1,000 refund.

Under the White House's proposal, the refundable portion of the AOTC would rise to \$1,500, giving students an extra \$500 in cash. Nontraditional students also would benefit: Currently students must be at least half-time students to qualify for the AOTC.

Under the proposal, part-time students would be eligible for a credit up to \$1,250 with \$750 refundable. The credit also would be available for five years instead of the current four.

The American Association of Community Colleges said in 2012 the credit was used by nearly 10 million students, at a total value of about \$18 billion. KU spokeswoman Erinn Barcomb-Peterson said Monday she was trying to gather information about how many students at the university use the AOTC, but that reaching individuals may be difficult because of the Martin Luther King Jr. holiday. Attempts to reach a Washburn University representative weren't immediately successful.

Americans for Tax Reform, a D.C.-based group founded by anti-tax advocate Grover Norquist, has called the AOTC a mixed bag and pointed to potential waste in the program. A 2011 Treasury Inspector General for Tax Administration report found 2.1 million taxpayers may have received up to \$3.2 billion in erroneous education credits.

The president will put forward other changes designed to increase college affordability, as well. Pell Grants would be exempted from the formula used to determine AOTC eligibility. The grants also would be exempt from taxation.

In addition, Obama's plan would eliminate taxes on student debt loan forgiveness for borrowers who use a "pay as you earn" option that limits debt payments to 10 percent of discretionary income.

"However, under current law, (pay as you earn) participants who qualify for debt forgiveness after 20 years could face a large tax bill — likely a surprise to most borrowers, and for others a concern in choosing (pay as you earn). The President's plan would continue to propose to exempt student loan forgiveness from taxation," an information sheet from the White House reads.

Some current education tax benefits would be taken away under Obama's proposal. Deductions on student loan interest would be repealed for new borrowers, while kept in place for those who currently have student loan debt. The administration argues the deduction is complicated.

The White House plan also would repeal deductions on contributions to so-called 529 plans, which are operated by a state or educational institutions and are designed to help families set aside funds for college costs. The administration has termed the deductions "upside-down education savings incentives." The plans either allow individuals to pre-pay the cost of college or invest in mutual funds.

Beyond changing tax incentives, the White House already has rolled out a proposal that would allow some students to attend community college for free. Students would have to maintain 2.5 GPA and attend at least half-time. Federal funding would cover 75 percent of costs, with participating states picking up the remaining bill.

Rep. Lynn Jenkins, a Republican who represents Topeka and much of eastern Kansas, criticized the proposed changes. During the last Congress, Jenkins introduced legislation to expand the 529 program.

Two bills introduced by Jenkins would have allowed for the creation of an employer-matching program and allow 529 funds to pay for computers.

"Eliminating the incentive to save for college and using the increased taxes to help pay for 'free' community college seems completely counterproductive. Instead of a system that incentivizes people to save and provide for themselves, the president's proposal incentivizes higher taxes and greater government dependency," Jenkins said. "Also, changing the rules at this point would penalize folks who have been saving in their 529 plans these past 15 years."

Obama's KU speech will take place at the Anschutz Sports Pavilion, located near Allen Fieldhouse and will be free and open to the public, though those interested in attending will need tickets.

The president had been scheduled to visit Lawrence on April 19, 2013. That visit was canceled, however, after the April 15 bombing of the Boston Marathon.

Before the cancellation, Republican Gov. Sam Brownback had said he planned to attend the event. On Monday, Brownback spokeswoman Eileen Hawley said the governor would greet the president when he arrives in Kansas.

A sitting president hasn't visited The University of Kansas since William Howard Taft in 1911. Before Taft, Ulysses S. Grant visited in 1873, and Rutherford B. Hayes in 1879.

The Wichita Eagle

Brownback budget an unattractive mix

01/17/2015 6:06 PM

01/18/2015 6:54 AM

While many other states are enjoying budget surpluses, Kansas stands out for trying to pull together just enough cash to get by in the wake of the revenue falloff caused by the income tax cuts.

So Gov. Sam Brownback's two-year budget proposal, [released](#) Friday, is an unattractive mix of tax hikes, fund raids, flip-flops and "efficiencies" designed to facilitate the governor's State of the State vow that "we will continue our march to zero income taxes."

Even so, in an effort to plug a \$648 million hole next year it would slow down additional scheduled tax cuts – a move that to all but the administration bears a strong resemblance to the proposal made by Democratic opponent Paul Davis last fall that the Brownback campaign had called "appalling."

The plan's success will depend on several things. Among them:

- Whether conservative Republican lawmakers sworn to never raise taxes can be persuaded to do just that. Brownback wants steep increases in the state taxes on cigarettes, other tobacco products and liquor, in an effort to generate \$107.9 million more in fiscal 2016 and \$104.1 million more in 2017. Can he make the case that it's OK to raise "sin" taxes in the name of lower income taxes? The governor also wants to

accelerate the elimination of some income tax deductions, including the one for home-mortgage interest – another tax increase for many.

- Whether local governments and pro-highway business interests will sit still for more diversion of funds from the transportation plan, or have had enough with \$1.2 billion in highway fund transfers since 2011 for general state operations. Brownback also would dip into more tobacco-settlement millions earmarked for children’s programs. (As Kansas Action for Children tweeted Friday, “Kids pay for tax cuts.”)
- Whether legislators are willing to undermine their efforts to improve the long-term funding of the state pension system. Under Brownback’s [proposed](#) changes, the state might issue \$1.5 billion in bonds or reduce its contribution rates in ways to save \$132.4 million over two years but also push off the day when the system’s solvency is assured.

As a short-term and shortsighted correction for a fiscal course that never should have been taken, Brownback’s plan is better than it might have been.

While continuing the 4 percent cut to state agencies he imposed last month, the proposal doesn’t go out of its way to target K-12 public education – though the governor’s stated desire to repeal the school-finance formula should give districts, teachers and parents plenty of concern.

If the governor has put forward a budget that works on paper, legislative blessing is hardly guaranteed. He’ll need tax collections to come in close to projections, and the Kansas Supreme Court to take its time deciding the appeal of the lower court’s ruling that the state is badly underfunding schools.

So the “real live experiment” continues. Forget investing in the future, or even restoring the spending levels slashed in the recent past. These days Kansas’ government is too burdened by fiscal difficulties to aim for any stars.

For the editorial board, Rhonda Holman

Read more here: <http://www.kansas.com/opinion/editorials/article7054385.html#storylink=cpy>

Brownback calls for changes to school funding formula, Supreme Court selection in State of the State

BY DION LEFLER AND BRYAN LOWRY

THE WICHITA EAGLE

01/15/2015 7:05 PM

Gov. Sam Brownback endorsed remaking how the state funds public schools and putting the state's creditors at the front of the line for payments from state coffers in an ambitious State of the State speech Thursday night.

He also embraced moving city elections to the fall and changing the way Kansas selects its Supreme Court justices.

The school, election and court policy shifts have long been part of the conservative wish list for reforming state government into a smaller and less costly package. The debt proposal is designed to calm jittery bond markets that have downgraded the state's credit rating after deep tax cuts that weren't matched by spending cuts.

Brownback was combative on school finance, in the wake of a special three-judge court's recent ruling that state funding for education is unconstitutionally low.

"For decades now, Kansas has struggled under a school finance formula which is designed not to be understood, to frustrate efforts at accountability and efficiency," he said. "A formula designed to lock in automatic, massive increases in spending unrelated to actual student populations or improved student achievement."

Quoting from the judges' ruling, Brownback said he agreed with the court panel that "one cannot classify the school financing structure as reliably constitutionally sound."

Instead, the governor said, "it is time for a new school finance formula."

“My suggestion to you is simple, and I believe necessary — a timeout in the school finance wars.” Brownback did not give details, but said it “should reflect real-world costs and put dollars in classrooms with real students, not in bureaucracy and buildings and gimmicks.”

For the next two years, while lawmakers work on crafting a new formula, the Legislature should appropriate money directly to school districts, he said.

Senate Majority Leader Terry Bruce, R-Hutchinson, said the idea would work like a block grant based on each district’s current level of funding. “It’s pretty simple as to how you allocate it,” he said.

He acknowledged that some lawmakers may be uneasy about “going into the unknown.” But he said he supported the idea and that school spending needs to become more efficient.

Attorney General Derek Schmidt called the governor’s proposal to repeal the formula “a bold idea.” He said he could not say with certainty how that would affect pending litigation.

“I’ll defend it however they enact,” he said.

Senate President Susan Wagle, R-Wichita, said the state’s budget issues are pushing lawmakers to make needed reforms.

“A crisis is an opportunity,” she said. “We have three cost drivers that are really killing our budget. One is K-12 formula. One is the KPERS (state pension system) debt. And the other is increases in Medicaid. And I believe he wants to structurally address those issues in his second term.”

Teachers react

During the speech, more than 100 teachers lined the entry hall to the House chamber, holding their hands up in a symbolic raising of hands for school children. They cheered Supreme Court justices and Democratic lawmakers as they exited the chamber and greeted conservative Republicans with silence.

Afterward, they gathered with Democratic legislators at the old Supreme Court Room in the Capitol.

Johnson County teacher Barbara Casey recounted a conversation she had with the mother of one of her fifth-grade students.

“I had to tell her that frequently, it is very difficult for me to address her son’s needs with 25 other students in the classroom,” she said. “It’s not that I’m not prepared, it’s not that I’m not a good teacher, it’s not that I don’t care, it’s not that I don’t work hard, it’s that there is not enough support and there are too many children in the classroom.”

She said she was disappointed by the speech.

“I did not hear anything from the governor that gives me any encouragement that the situation will improve soon,” she said. “In fact ... I don’t really understand how changing the school finance formula will help at all.”

“Our students deserve better than what we’re giving them right now.”

Senate Minority Leader Anthony Hensley said it’s time for Brownback to stop blaming other people and the system, and step up and fix the problems his tax and economic plans created.

“The school finance formula has become a scapegoat,” Hensley said. “The school finance formula is fine as it is. It’s just they’ve underfunded it historically for years.”

State’s credit rating

In a message aimed straight at Wall Street, Brownback proposed a constitutional amendment to put the state’s creditors first in line for payment from the state’s dwindling money supply.

Both of the major bond-rating firms, Moody’s and Standard & Poor’s, have downgraded Kansas’ credit rating since the governor and Legislature made sweeping tax cuts over the past two years.

A constitutional amendment would ensure that bond payments would be made and the state would have to cut public services rather than default on its debts.

“Kansans know the importance of a promise, whether to friends, family or a business,” Brownback said. “And recognizing that promise, they pay their debts on time and in full. The Kansas Constitution should reflect that as well.”

The Brownback tax plan lowered income tax bracket rates and exempted the owners of about 190,000 businesses from having to pay income tax on their profits.

He would not say whether his budget, out Friday, would include any tax increases.

He said he is committed to keep the state on its “march to zero income taxes,” a course that has substantially reduced state revenues and created projections for deep deficits this year and next.

“States with no income tax consistently grow faster than those with high income taxes,” he said.

Wagle said she was pleased the governor was leaving the income tax cuts intact. She predicted he would include adjustments to the tax code when he unveils his budget on Friday.

Annie McKay, executive director of the Kansas Center for Economic Growth, criticized Brownback for refusing to reverse course on the tax cuts, which she said failed to spur growth.

“Working families in Kansas who are trying to make ends meet continue to lose access to essential programs and tax credits,” she said in an e-mail. “They shouldn’t have to pay for our self-inflicted state budget crisis.”

Supreme Court selection

Brownback promised to take another run at a constitutional amendment that would give him and future governors the authority to pick the justices on the state Supreme Court, with the consent of the Senate.

The state now picks justices using what is called the merit system, in which a commission of lawyers and lay people submits three names and the governor makes the final selection.

The Legislature already changed the selection process for the state Court of Appeals, but changing it for the Supreme Court would require a constitutional amendment.

Democrats and moderate Republicans who favor keeping the merit system say they should have enough votes to defeat the amendment in the House this year.

Two Supreme Court justices — Lee Johnson and Marla Luckert — did not attend the address.

Brownback actively supported efforts to oust Johnson and Justice Eric Rosen from office during the election.

He appeared to take a swipe at the Kansas judiciary and its role in the school finance litigation when he told the Legislature that it was the only branch of government that could appropriate money. “That’s in the constitution,” he said, prompting a standing ovation and cheers from conservatives.

Chief Justice Lawton Nuss would not comment on the governor’s speech and his call to change the judicial selection process.

Brownback also embraced efforts to change when we vote in local elections.

He said turnout for municipal elections runs about 10 percent, a fraction of the turnout for state and national elections in the fall.

“That does not honor our values of wanting higher voter participation,” he said.

Critics of the proposed change say it would bring high-power party politics to what are nonpartisan elections, and potentially bury the local candidates and issues under a long list of national, state, county and judicial offices.

Democratic response

In the Democratic response to the governor, Hensley offered what he called “the real – and frankly somber – state of our state.”

“We’ve just heard the governor’s take on the state of our state, but, unfortunately, how can Kansans believe it when he has deliberately and repeatedly misled us?” he said.

“...While many regions of our nation are making steady progress, the state of our state is bad.”

Hensley called Brownback’s income tax cuts an “irresponsible and reckless economic experiment.”

He said that has cost the state \$700 million in lost revenue, more than the \$600 million the state lost in the depth of the Great Recession.

A Topeka school teacher, Hensley also lashed out at the governor on school finance.

“In response to the (court) ruling, the governor said we need to restructure the current school-finance formula,” he said. “To me, that’s another way of saying ‘Let’s pass the buck to local school boards and taxpayers to pay more for their schools.’”

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KEY POINTS OF THE SPEECH

Gov. Sam Brownback called for:

- Requiring more able-bodied welfare recipients to apply for work or work training to receive welfare.
- Helping high-poverty areas in Wichita, Kansas City and Topeka by offering programs similar to the Rural Opportunity Zones, which provide tax breaks and repayment of student loans to new residents.
- Continuing the march to zero income tax

- A constitutional amendment stating the debt of the state is a general obligation of the state and will be paid first, a move to calm the bond rating services.
- A time-out in the school finance wars and a repeal and rewrite of the school finance formula.
- Moving local elections, which are held in the spring, to the fall to increase voter participation.
- Changing the way Supreme Court justices are picked.
- Continuing pro-life policies, saying “Kansas is the most pro-life state in America. And we are not going back.”

BROWNBACK QUOTES

“The family budget is more powerful than the government budget.”

“If we could spend our way to paradise, we would already be there.”

“My suggestion is simple, and I believe necessary – a timeout in the school finance wars.”

“Let us be wise and compassionate and act in the way that the ancients told us to.”

How to contact the governor

By mail: Office of the Governor, Capitol, 300 SW 10th Ave., Suite 241S, Topeka, KS 66612-1590

By phone: 877-579-6757 or 785-296-3232; for hearing impaired, 800-766-3777

By e-mail: governor@ks.gov

On Facebook: <http://www.facebook.com/govsambrownback>

On Twitter: @govsambrownback

Read more here: <http://www.kansas.com/news/politics-government/article6749781.html#storylink=cpy>

Kansas Senate bill would let any legal gun owner secretly carry without permit

BY DION LEFLER

THE WICHITA EAGLE

01/21/2015 4:45 PM

The state Senate is poised to pass a bill that would allow any Kansan who can legally own a gun to carry it concealed in public.

On Wednesday, senators introduced the so-called constitutional carry bill with 26 co-sponsors, five more than the number of votes needed to pass the bill through the chamber and send it to the House.

Kansas already allows the open carrying of firearms in most public places as a result of legislation passed last year, but carrying concealed requires a gun-safety training class and a state-issued permit.

Senate Bill 45 would negate the need for the class or the permit to carry a concealed weapon in Kansas, although gun owners could still obtain a state concealed-carry permit if they want to carry in other states that honor Kansas permits, said Senate Majority Leader Terry Bruce, R-Hutchinson and the measure's primary sponsor.

"It's our belief it will lead to more protection of individuals," Bruce said, adding that he doesn't expect it to cause an increase in gun violence.

"Most incidents, I believe, they resolve themselves with the gun being brandished," he said. "I don't think that it's necessarily going to elevate shootings."

Sen. Oletha Faust-Goudeau, D-Wichita, said she will oppose the bill.

“It’s scary,” she said. “It is like we are going back to the wild, wild West.”

Rep. Jim Ward, D-Wichita, a former prosecutor, said he’d advise caution.

“We’ve done so much with our gun laws in the last couple years, why don’t we just take a break for a year or two and settle in with this new stuff and see what if any holes are in our gun laws, before we just randomly throw things out there and hope nothing bad happens?” Ward said.

The Republican-controlled Legislature approved concealed carry with a permit in 2006, overriding a veto by then-Gov. Kathleen Sebelius, a Democrat. That made Kansas a “shall-issue” state, meaning law enforcement agencies don’t have the discretion to deny a permit to anyone who meets the qualifications.

Last year, lawmakers clarified the rules on openly carrying a gun, ensuring it would be legal in most public places. The Legislature also stripped cities and counties of authority to regulate guns in their jurisdictions. Those provisions were signed into law by Gov. Sam Brownback.

Bruce said he has been unable to find any definitive gun-violence data on states that have switched from requiring concealed-weapons permits to allowing concealed carry without a permit.

Alaska, Arizona, Arkansas, Oklahoma, Vermont and Wyoming allow concealed carry without a permit in some form, Bruce said.

The plan is called constitutional carry based on an interpretation that the Bill of Rights gives Americans a virtually unfettered right to keep and bear arms.

“We’re expanding what have been seen as Kansans’ Second Amendment rights,” Bruce said. “We think that it’s the right direction to go.”

Bruce said certain felons and some mental-health patients would be prohibited from carrying guns. Federal laws ban the sale of guns to most convicted felons, illegal drug users, domestic batterers and individuals who have been involuntarily committed to mental institutions.

Reach Dion Lefler at 316-268-6527 or dlefler@wichitaeagle.com.

Read more here: <http://www.kansas.com/news/politics-government/article7885386.html#storylink=cpy>

The Kansas City Star

On grim Tuesday, Sam Brownback's new budget harms schools, roads, pensions

BY YAEL T. ABOUHALKAH

THE KANSAS CITY STAR

01/21/2015 9:55 AM

01/21/2015 9:55 AM

On a grim Tuesday, the proposed budget of Kansas Gov. Sam Brownback claimed three victims.

School funding will be cut. So will money for road repairs as well as for pensions for city, county and state workers, plus teachers.

Here's worse news: It's early, and things could deteriorate even more as state legislators look into the details of how Brownback's tax cuts have siphoned off hundreds of millions of dollars from the general fund.

Brownback wants to hike sin taxes on cigarettes and alcohol, but also cut education, hold off on road maintenance and put less into the state-controlled pension plans for tens of thousands of public employees.

On Tuesday, Kansans heard:

- The governor's proposed budget [could slice about 4 percent](#) of the funding for the K-12 schools' operating budgets.

The Kansas Department of Education said his plan requires a \$127.4 million reduction in the next fiscal year.

Brownback wants to kill the current school formula, which the Legislature has failed to adequately finance for years, and replace it with block grants. It's unknown yet how that would affect individual districts, including those in Johnson County.

Brownback's plan also is seen as an attempt to get around a recent court ruling, which found good reasons to believe state officials actually should be placing a \$550 million *more* a year into K-12 schools.

- The [Kansas Department of Transportation announced it plans](#) to delay about \$300 million in repairs to state roads because Brownback wants to divert hundreds of millions of dollars from the transportation budget.

The upshot: Kansas roads won't be properly maintained in the short run. And engineers know exactly what that means when it comes to infrastructure: Long-term repairs will be more costly.

Ignoring the problem of crumbling roads, in other words, won't make the problem go away.

- And pension officials said [a Brownback-inspired plan](#) to delay payments into the state's pension system could cost an extra \$9.1 billion.

The irony here is that Brownback and the Legislature in recent years actually had taken a few positive steps to shore up the financially troubled plan.

But after the tax cuts, Brownback needs to balance the current year's budget. One way he wants to do that is divert \$58 million in state payments once destined to the Kansas Public Employee Retirement System. It provides benefits not only for many state workers but also for state and city employees as well as teachers.

The problem with monkeying around with the KPERS funding is that the long-term costs are passed on to future generations.

And how will they have to pay the extra \$9 billion lug if and when it comes? Through higher taxes from the public — or much lower benefits for employees, a fight that could be terribly difficult to win in the legal system.

There's more to come, of course, as Brownback's budget proposal goes through the Legislature. They also have to decide what to do with school funding, which makes up half of the general fund's expenses.

Mix in the fact that Brownback's tax cuts are not producing nearly enough jobs to generate new tax revenue, and Kansas is in a world of fiscal hurt in early 2015.

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Read more here: <http://www.kansascity.com/opinion/article7856607.html#storylink=cpy>

Gov. Sam Brownback, wrestling with budget shortages, says Kansas is headed in the right direction

BY DION LEFLER, BRYAN LOWRY AND BRAD COOPER

THE KANSAS CITY STAR

01/15/2015 7:03 PM

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TOPEKA

Gov. Sam Brownback endorsed remaking the formula for funding public schools and putting the state's creditors at the front of the line for payments from Kansas in an ambitious State of the State speech Thursday night.

He also embraced moving city elections to the fall and changing the way Kansas selects its Supreme Court justices.

The school, election and court policy shifts have long been part of the conservative wish list for reforming state government into a smaller and less costly package. The debt proposal is designed to calm jittery bond markets that have downgraded the state's credit rating after deep tax cuts that weren't matched by spending cuts.

Brownback was combative on school finance in the wake of a special three-judge court's recent ruling that state funding for education is unconstitutionally low.

"For decades now, Kansas has struggled under a school finance formula which is designed not to be understood, to frustrate efforts at accountability and efficiency," he said. "A formula designed to lock in automatic, massive increases in spending unrelated to actual student populations or improved student achievement."

Quoting from the judges' ruling, Brownback said he agreed with the court panel that "one cannot classify the school financing structure as reliably constitutionally sound."

Instead, the governor said, "it is time for a new school finance formula."

"My suggestion to you is simple, and I believe necessary — a timeout in the school finance wars." Brownback did not give details but said it "should reflect real-world costs and put dollars in classrooms with real students, not in bureaucracy and buildings and gimmicks."

About an hour before Brownback's speech began, members of the Kansas National Education Association, the state's largest teachers union, began to gather at the Capitol.

Randy Mousley, president of the United Teachers of Wichita, accused Brownback of "talking out of both sides of his mouth" on the issues and said the governor wanted to "dismantle public education."

Bond ratings

In a message aimed straight at Wall Street, Brownback proposed a constitutional amendment to put the state's creditors first in line for payment from the state's dwindling money supply.

Both of the major bond-rating firms, Moody's and Standard & Poor's, have downgraded Kansas' credit rating since the governor and Legislature made sweeping tax cuts over the past two years.

A constitutional amendment would ensure that bond payments would be made and the state would have to cut public services rather than default on its debts.

"Kansans know the importance of a promise, whether to friends, family or a business," Brownback said. "And recognizing that promise, they pay their debts on time and in full. The Kansas Constitution should reflect that as well."

The Brownback tax plan lowered income tax bracket rates and exempted the owners of about 190,000 businesses from having to pay income tax on their profits.

Brownback vowed to keep the state on its "march to zero income taxes," a course that has substantially reduced state revenues and created projections for deep deficits this year and next.

He did not say whether his budget, coming Friday, would include any tax increases.

The governor said he remains committed to zeroing out the state income tax because "states with no income tax consistently grow faster than those with high income taxes."

"There may be some who consider this course too bold. Well, I'm the sort of guy who would have sent Alex Gordon from third base."

That was a reference to a pivotal play in the last inning of last year's World Series, when the Royals star ended up stranded at third instead of risking a close play at the plate for a tying run.

Court changes

Brownback also promised to take another run at a constitutional amendment that would give the governor authority to pick state Supreme Court justices, with the consent of the Senate.

The state now picks justices using what is called the “merit system,” in which a commission of lawyers and lay people submits three names and the governor makes the final selection.

The Legislature already changed the selection process for the state Court of Appeals, but changing it for the Supreme Court would require a constitutional amendment.

Democrats and moderate Republicans who favor keeping the merit system think they will have enough votes to keep Brownback and his allies from getting the amendment through the House this year.

Brownback also embraced efforts to change when Kansans vote in local elections.

He said turnout for municipal elections runs about 10 percent, a fraction of those who come to the polls for state and national elections in the fall.

“That does not honor our values of wanting higher voter participation,” Brownback said.

Critics of the proposed change say it would bring high-power party politics to what are currently nonpartisan elections, and potentially bury the local candidates and issues under a long list of national, state, county and judicial offices.

Democrat rebuttal

Legislative reaction was largely split along philosophical lines. Conservatives lavished praise on the speech. Democrats and moderate Republicans disagreed with many of the ideas presented.

Conservatives embraced Brownback’s proposal to revamp the school finance formula that he criticized for locking in massive spending increases on education.

Brownback targeted a series of funding weightings that provide more money to schools depending on about a dozen factors.

Some conservative lawmakers blame those weightings for inflating the student population because students are counted more than once for funding purposes.

“We have fictitious students,” said state Sen. Jeff Melcher, a Leawood Republican. “It is a flawed formula that’s really designed to deceive the public and needs to be fixed.”

Senate Minority Leader Anthony Hensley of Topeka argued that Brownback and his conservative supporters are using the school funding formula to hide the fact that the governor elected not to restore tens of millions in federal stimulus money for education in 2011.

A Topeka school teacher, Hensley lashed out at the governor’s proposal to overhaul school finance.

“That’s another way of saying ‘Let’s pass the buck to local school boards and taxpayers to pay more for their schools,’” he said.

“The school finance formula is fine as it is. It’s just been historically underfunded.”

Read more here: <http://www.kansascity.com/news/government-politics/article6749163.html#storylink=cpy>

Kathleen Sebelius criticizes Gov. Sam Brownback’s vision for Kansas

BY STEVE KRASKE

THE KANSAS CITY STAR

01/20/2015 8:24 PM

Former Kansas governor Kathleen Sebelius on Tuesday called Gov. Sam Brownback’s tax cut plan a “failed and flawed vision.”

In her first interview with a Kansas reporter since she resigned as President Barack Obama's health and human services secretary last April, Sebelius lamented the state's credit downgrades, cuts to public schools and faltering job growth.

"I really worry about what the result of this great experiment will be and how long it will take the state to recover from what seems to be a failed and flawed vision of cutting taxes and job growth," the Democrat said.

Sebelius also said the Republican governor's proposed tax increases on tobacco and alcohol won't generate enough revenue to make up for his tax cuts.

"I'm not sure there's enough smokers and drinkers in Kansas to balance these enormous financial cuts," Sebelius said.

The interview will be broadcast on KCUR's "Up to Date" at 11 a.m. Wednesday.

Sebelius, who has said little publicly about Brownback's policies, was skeptical about the benefits of the Republican's plan to eliminate the state income tax. She said Kansas was built on a foundation of a three-part revenue stream of income, sales and property taxes.

"When you take one of those three legs of the stool out and eliminate that, then I think you really run the risk of toppling everything," she said.

The property tax is unpopular, and sales taxes are regressive, Sebelius added.

Brownback spokeswoman Eileen Hawley said Obamacare penalized businesses for offering full-time work, which she called a flawed vision for job growth. The governor's policies have resulted in a record number of working Kansans, Hawley said.

The former HHS secretary, who left the Obama administration after a failed rollout of the Affordable Care Act enrollment website, also had tough words for Sen. Pat Roberts of Kansas. The Republican called for Sebelius to resign for "gross incompetence."

"I found it to be a disturbing call," she said, "primarily because I didn't feel that was a realistic way even to deal with the situation I was in."

Roberts' demand came the same week that tea partier Milton Wolf launched a primary campaign against the senator.

Sebelius called Roberts' statement "disturbing" and cited Roberts' opposition in 2012 to a disabilities treaty that former U.S. senator Bob Dole championed. Dole, she said, was Roberts' mentor.

"If Pat Roberts could do that to Bob Dole, I'm sort of a sideline," she said. "It gave me some indication that he would basically do anything to try to be re-elected."

A Roberts spokeswoman said the senator's decision to call for the resignation was "based on poor job performance."

Sebelius also said:

- The Affordable Care Act was a "major watershed" for the country and the political capital Obama expended to pass the law was worth it.
- She'd like to write a book about her "amazing experiences" and to set the record straight. "It's interesting for me to read some of the books which have come out recently on the health care debate because the people writing them weren't actually in the room. And a lot of what is said is not terribly accurate."
- Her political career is over. "I have PTSD (post-traumatic stress disorder) about going into a call room" to solicit campaign donations, she said.
- In hindsight, she would have integrated the technical experts with the policy people earlier in the development of the ACA website.
- The toughest part of the rollout experience was her inability to resolve the problem herself. "I couldn't fix it," she said. "I don't have the technical knowledge and the background to just go in and say to people, 'If you just move aside, I'll come in and do this.' I really had to rely on other people. ... There's no question that it was a miserable time."

These days, she is speaking to groups and university classrooms and is working at the Aspen Institute on a global health care initiative. She has also found time to play with her 2-year-old grandson, George.

Read more here: <http://www.kansascity.com/news/government-politics/article7822977.html#storylink=cpy>

Kansas' support to school districts will be cut \$127.4 million, Education Department says

BY DION LEFLER AND BRYAN LOWRY

THE KANSAS CITY STAR

01/20/2015 9:16 PM

Kansas Gov. Sam Brownback's proposed budget cuts about \$127.4 million from state support to local school districts, according to a report released Tuesday by the state Department of Education.

Some Senate Republican leaders dispute that the cut is that deep, saying the Education Department figure doesn't account for spending on bonds and interest for school construction or payments to the state retirement fund.

The governor's plan, released Friday, is to roll four major categories of spending into block grants to school districts. The block grants will include the money now spent in general state aid, supplemental state aid, capital outlay aid and the school district finance fund.

This year's budget for those categories is almost \$3.14 billion. The block grants proposed by the governor would total slightly more than \$3 billion.

The actual amount of the cut proposed is \$127,399,537, according to the Education Department figures.

Senate Republicans don't dispute that number. It's exactly the same as what they got on their own spreadsheet distributed at a Republican Senate caucus meeting Tuesday.

GOP senators say it only tells part of the school spending story.

"They don't even add up the rest of what we spend," said Sen. Ty Masterson, chairman of the Senate Ways and Means Committee. "The real cut, if you're going to call it a cut, is \$22 million."

The Republicans count as education funding increased money for pensions, \$90.6 million; bond and interest payments on construction of school buildings, \$8 million; and increased funds to qualify for federal aid for special education, \$6.5 million.

By their reckoning, that reduces the overall cut to education to about \$22.5 million.

The cuts would take effect beginning July 1 with the start of the state's fiscal year.

Some of the increase in KPERS for next year is actually money that the state initially intended to spend this fiscal year, before Brownback made midyear budget cuts to fill a \$279 million budget hole.

The new budget shows an increase in KPERS payments next year of \$90.6 million. But \$40.7 million of that is the make-up payment for this year's cut.

Dale Dennis, deputy commissioner of education, said the \$127 million plus in cuts identified in the Education Department report represents money that goes to fund classroom education on a yearly basis, which is why the department separated those items from the other spending lines.

The pension and bond and interest payments are for long-term expenditures and the special-education funding is required to show the federal government "maintenance of effort" when it comes to educating children with disabilities. Maintenance of effort ensures states don't cut their own special-education funding when they get federal grants to improve their programs.

Meanwhile, it remains unclear how the pool of block grants will be divided among the state's school districts.

The Kansas Supreme Court ruled last year that the Legislature has to provide funding that is adequate and equitable to ensure that all children get a decent shot at a good education.

At the Tuesday Republican caucus meeting, Sen. Carolyn McGinn, a Sedgwick Republican, questioned how the split of school money will be decided.

“Has anybody talked to the governor's office about how they're going to devise that plan? Because it just says block grant,” McGinn said.

Senate President Susan Wagle, a Wichita Republican, replied that the governor's office would be submitting a bill, which would work as a starting point.

“We tried the block grant — what? — four years ago and it didn't get very far,” McGinn said after the meeting. “And part of that was that we didn't get information on how it would be distributed. So my hope is that instead of waiting until the final hours of the Legislature when the block grant is decided that we'll have an opportunity to weigh in on that.”

Wagle said the block grants would be based on current levels of funding but that until she saw the governor's bill she could not say specifically what each district would receive.

“We're going to wait and look at the bill,” Wagle said.

Read more here: <http://www.kansascity.com/news/government-politics/article7833150.html#storylink=cpy>

Gov. Sam Brownback: I would have sent Alex Gordon

BY PETE GRATHOFF

THE KANSAS CITY STAR

01/15/2015 10:39 PM

It's time to come clean.

There have been a couple of times this winter you've thought about the ninth inning of game seven of the World Series.

Or maybe you've replayed that moment when Royals left fielder Alex Gordon was stopped at third base with two outs in the bottom of the ninth inning a couple dozen times a day since late October.

I'm guessing that when the scenario is played out in the minds of most Royals fans, Gordon always manages to score even though he likely would have been thrown out by about 20 feet.

But it couldn't have hurt to wave him home given the way the game ended, right?

Hindsight is always 20-20 as they say.

Apparently, Kansas Gov. Sam Brownback has thought about it because he mentioned that moment at his State of the State address on Thursday (from the [Associated Press story](#)):

“And we will continue our march to zero income taxes,” Brownback said. “Now, there may be some who consider this course too bold. Well, I'm the sort of guy who would have sent Alex Gordon from third base.”

Who knows? Maybe Alex Gordon and the ninth inning of game seven of the World Series will become nomenclature for bold action.

Had the Royals sent Gordon, maybe we'd all be talking about how great that victory parade was.

Oh, well. Spring training starts next month.

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Read more here: <http://www.kansascity.com/sports/spt-columns-blogs/for-petes-sake/article6838089.html#storylink=cpy>

Gov. Sam Brownback: Kansas is great, full speed ahead on ruinous tax cuts

01/15/2015 8:25 PM

01/15/2015 9:00 PM

Tonight Gov. Sam Brownback told the people of Kansas exactly how the next four years are going to go.

His way.

Despite the \$700 million hole in the state's budget, he will continue his quest to drive Kansas' income tax to zero, the newly re-elected GOP governor declared in his State of the State speech.

A defiant Brownback spoke mostly in generalities. The real news will come Friday, when Brownback will unveil a budget that he said would close the immense shortfall. "I will present a two-year budget that will be balanced with revenues exceeding expenditures," he said.

Well, yes, he is constitutionally required to do so, at least on paper. But how he's going to do that will cause a lot of people to lose sleep overnight.

Schools will definitely receive less money. Brownback made the astounding claim that "the majority of the shortfall we face is due to increases in K-12 spending since 2014."

Actually, the majority of the shortfall Kansas faces is due to reckless tax cuts and shocking miscalculations of how much revenue the state would be receiving. But Brownback's brazen willingness to blame education spells nothing but trouble for families, schools and teachers. He told the Legislature he wants to rewrite the school finance formula, presumably to redefine what should pass in Kansas for a constitutionally adequate education.

Brownback accepted no blame for the creating the state's fiscal crisis. That was all the fault of excess spending by previous administrations, he said.

As he did in his campaign, Brownback boasted about cutting the state's welfare rolls in half. He even introduced a Kansas resident who had moved from welfare to work. What he didn't say is that poverty has not declined in Kansas, and his welfare cuts are making life tougher for families.

In flashbacks to his fiercely fought campaign against Democrat Paul Davis, Brownback threw out a number of dubious boasts and misleading claims.

He continues to use 2011, when all states were still struggling from the effects of the deep 2008 recession, as his benchmark. Since then, Kansas has added 59,000 private sector jobs, Brownback said.

That claim is accurate, but Brownback omitted the information that since the tax cuts took effect Kansas' private-sector job growth trails that of neighboring Missouri, Iowa, Oklahoma and Colorado, and none of those states (so far, in the case of Missouri) have blown a Kansas-sized hole in their budget.

Brownback's speech contained few new ideas, and those he presented aren't exactly earth shaking

He wants to create "urban opportunity zones" to complement his rural opportunity zones, which offer certain incentives for people who chose to relocate to the zones.

In what sounded like a move to mollify critical bond rating agencies, Brownback said he wants the state to pass a constitutional amendment stating that debt will be paid before any other spending.

He wants to move local elections from spring to fall, when more people participate.

And, of course, he still wants to change the way Supreme Court justices are selected, preferably giving that power to the governor so he won't have to deal with those pesky checks and balances.

Brownback ended his speech in full preacher mode, quoting “the Ancients” as saying that the state’s actions should be “first pure, than peaceable, gentle, open to reasonk, full of mercy and good fruits, impartial and sincere.”

That ought to last all of overnight, until the governor’s budget is unveiled.

I’ll give you dimes to dollars that his spending proposal will not be gentle, or open to reason. And the Capitol in Topeka will not be peaceable any time soon.

Read more here: <http://www.kansascity.com/opinion/opn-columns-blogs/barbara-shelly/article6782181.html#storylink=cpy>

Sam Brownback’s defiant trip to fantasy land is not helping Kansans

BY YAEL T. ABOUHALKAH

THE KANSAS CITY STAR

01/15/2015 7:40 PM

Kansas Gov. Sam Brownback ignored reality and entered his own self-created fantasy land Thursday night.

His defiant State of the State speech didn’t contain any real specifics on how he wants to put in place major policy changes —especially in balancing a budget that is projected to be badly out of whack for years to come because of his reckless tax cuts.

Kansans who pay taxes and expect decent basic services deserved to hear some hard truths about how the governor has damaged the state’s economy and what he and the Legislature plan to do about it.

But Brownback showed pitiful leadership in refusing to do that.

Instead, in the governor’s “it’s always sunny in Kansas” scenario:

- Tax cuts are not leading to massive revenue shortfalls (but they are).

- The state should continue its march to a zero income tax (never mind those pesky revenue woes).
- The tax cuts are leading to tremendous private-sector job growth (but most states are actually growing at *faster* rates than Kansas).
- Funding for K-12 schools is a major cause of Kansas' budget problems (but it's really not).
- The school funding formula must be radically changed (but the governor can't tell you how).
- Giving him near-control of the State Supreme Court appointments would be a great idea (yikes).
- God is helping guide him and other elected leaders as he helps Kansas through this mess (how delusional).

On Friday, Brownback says he will propose a balanced, two-year budget. That would be a tremendous feat, but I guess it's possible.

All he has to do is slice millions of dollars in funding for all kinds of social service programs, scrap some funds for already hard-hit schools across Kansas, take some more money out of the transportation improvement fund, perhaps change future pension payments for public employees and, well, that's enough for now.

So: worse schools, worse social services, worse roads and more poorly compensated public servants.

As for actually doing something responsible and raising taxes?

Nope, it does not appear Brownback will do that — unless he eventually announces a proposed sales tax hike that could hit hardest at the poor and middle class.

To govern effectively, elected officials need to actually acknowledge that their actions have real consequences.

As Kansans saw Thursday night, Brownback does not appear to have a firm grasp on reality.

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Read more here: <http://www.kansascity.com/opinion/opn-columns-blogs/yael-t-abouhalkah/article6764463.html#storylink=cpy>

Analysis: Kansas Gov. Sam Brownback faces tough fights on taxes and school funding

BY BRAD COOPER

THE KANSAS CITY STAR

01/15/2015 8:55 PM

01/15/2015 10:29 PM

TOPEKA

Controversy never scared Kansas Gov. Sam Brownback from tackling politically difficult issues.

Brownback begins his second term still fearless, renewing his commitment to zeroing out income taxes without saying directly how the state can overcome a \$700 million budget deficit that followed tax cuts he signed into law.

He also called for a rewrite of how state dollars are passed out to local schools. That's as touchy as an issue gets in the Capitol.

The proudly conservative Republican governor skipped any details about patching the budget hole in Thursday's State of the State speech — leaving that for his proposed budget Friday.

But the statehouse has buzzed with speculation this week that he could call for *some kind* of tax increase, possibly on alcohol and cigarettes, or maybe even delaying scheduled tax cuts.

In any one year, either issue could be a handful. But juggling taxes and school financing simultaneously could prove especially daunting.

Education

• **If at first you don't succeed...** Two years ago, Brownback tried to give school districts a lump sum equal to \$4,492 per student.

The plan died in a state Senate controlled by Brownback's moderate adversaries. Power has since shifted to conservatives, increasing Brownback's odds of success.

The Shawnee Mission and Blue Valley school districts supported the governor's proposal included in that plan to eliminate the cap on how much school districts could raise locally.

But the plan stirred controversy because it eliminated weightings that give school districts more money based on factors such as their number of at-risk and bilingual students and transportation costs.

• **The courts.** A panel of district court judges in Topeka recently ruled that Kansas schools are illegally underfunded and suggested the state needs to spend an extra \$548 million.

Wall Street has noted the ruling and fretted about how it complicates budget balancing.

Some conservative lawmakers want action on the school formula immediately.

"We (must) start dealing with this education funding model, or we're going to continue in this spiral of uncertainty," said Rep. Jerry Lunn, an Overland Park Republican and vice chairman of the House Education Committee.

A rewrite of the formula could help lawmakers two ways: It could save money while freeing the state from pending court rulings.

▪ **Educational civil war.** Rewriting the school finance formula is not so much about conservative and moderate or Republican and Democrat. It's about which districts gain money and which lose.

In 2012, for instance, Johnson County schools supported Brownback's efforts to remove the cap on raising property taxes for local education spending. Less prosperous districts opposed redoing the formula because they would have lost state money.

"People are all about winners and losers," said Mission Hills Republican state Rep. Barbara Bollier, "instead of what's best for the whole state."

Taxes

▪ **Supporter revolt.** If he has to raise taxes, will the governor face blowback from supporters who might feel misled after Brownback squeaked by Democratic challenger Paul Davis with less than 50 percent of the popular vote? After all, his campaign was substantially about how lower taxes would bring economic expansion.

"I don't think he can do a 180 on that," said state Rep. Scott Schwab, an Olathe Republican and a supporter of the governor's income tax cuts.

▪ **No new taxes.** The conservatives controlling the Legislature were elected opposing taxes, especially the penny sales tax passed in 2010.

How Brownback cajoles his conservative friends in the Legislature to go along with new taxes is a murky picture at best.

About a quarter of the 40 state senators, for instance, told Americans for Prosperity in 2012 campaign surveys that they would oppose new taxes even if revenues failed to meet expenses. The common rallying cry in the House is that "the state has a spending problem, not a revenue problem."

Conservative lawmakers insist the state needs to exhaust all options for cutting spending before entertaining a tax increase.

“We’re going to have to be dragged kicking and screaming to that,” said state Rep. John Rubin, a Shawnee Republican.

▪ **A little help from some friends?** Can Brownback get help from the moderate minority of his party to get new taxes passed after campaigning against their wing of the GOP?

Of 97 Republicans in the Kansas House, 23 are believed to lean moderate. Just how many of those might support new revenues — especially if the governor has trouble mustering votes from conservatives — is hard to predict, said Rep. Tom Sloan, a leading moderate Republican from Lawrence.

While moderates might be inclined to support new revenues, Sloan said much depends on the governor’s approach.

▪ **A hail Mary.** At what point will the state’s \$700 million budget hole change the dynamics?

When lawmakers hit “desperation,” said Senate Majority Leader Terry Bruce.

“If you can’t get your solution from cuts alone, you have to look at” higher taxes, said Bruce, a Nickerson Republican. “That’s why you can say it has a chance.”

State Sen. Jim Denning, an Overland Park Republican, said the income tax cuts scheduled for 2016 through 2018 should be stopped. He said the state has already taken enough steps to become more competitive on taxes. He said the budget hole might be too deep to overcome.

“We can’t keep those hard cuts in place,” Denning said. “This thing is very acute.”

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Read more here: <http://www.kansascity.com/news/government-politics/article6793209.html#storylink=cpy>

Dave Helling: The ballot has become another partisan battleground

BY DAVE HELLING

THE KANSAS CITY STAR

01/19/2015 3:44 PM

01/19/2015 6:05 PM

Kansas Secretary of State Kris Kobach, a Republican, says Kansans should be able to cast a straight-ticket ballot, where a voter could select all of a party's nominees by checking just one box.

"It's a matter of voter convenience," he told reporters last week.

That would be news to former state Sen. John Loudon of Missouri, also a Republican. In the mid-2000s he sponsored legislation that *ended* straight-ticket voting in his state, claiming it confused voters. "There's really no virtue to it at all," he said then.

Now, reasonable politicians can disagree on issues, but both Republicans can't be right. Straight-ticket balloting either helps voters or hurts them.

But the fact that two members of the same party disagree so sharply — in two different states — suggests their views are less about voter convenience and more about manipulating outcomes at the voting booth.

Loudon was clear on this. He said he wanted to end the practice because of an "explosion" of Democratic straight-ticket balloting in St. Louis County. And at the time, four out of five Kansas City voters cast straight-ticket ballots, almost always for Democrats.

In Kansas, by contrast, straight-ticket voting would likely help Republicans because of their registration advantage. Enter Kobach.

Kansans have a serious case of outrage fatigue. But let's hope they can summon at least some anger at this latest attempt to manipulate polling rules for partisan purposes.

Last fall, the courts repeatedly shot down Kobach's attempt to keep Democrat Chad Taylor on the U.S. Senate ballot. ("The law is very clear," Kobach said at the time. Apparently, not clear enough.)

He pushed through a voter ID law. He tried to limit some registrants to casting ballots only in federal races. He now wants the right to prosecute voter fraud.

Does anyone think Kobach took those steps to make voting easier? No.

Don't let Democrats off the hook. Already some in Kansas are saying straight-ticket voting is bad for democracy, the exact opposite of what Missouri Democrats said in 2006 when they fought to protect the practice. Partisan Democrats wanted to keep Taylor *off* the ballot.

If Kansas is truly interested in voter convenience, it could combine straight-ticket voting with same-day registration, like Iowa. More mail-in elections would be good, too.

Voting should be convenient, accurate, widely available — and fair. It should not be a place for partisan games.

Read more here: <http://www.kansascity.com/news/local/news-columns-blogs/local-columnists/article7585940.html#storylink=cpy>

Kansas Sen. David Haley: Legalized medical marijuana is inevitable

BY BRYAN LOWRY

THE KANSAS CITY STAR

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01/16/2015 7:40 AM

Legalization of medical marijuana in Kansas is inevitable, Sen. David Haley told a crowd of about 30 supporters at a rally in the rotunda of the Capitol on Thursday afternoon.

Haley, D-Kansas City, and Rep. Gail Finney, D-Wichita, have introduced companion bills in the House and Senate, SB 9 and HB 2011, that would allow medicinal use of marijuana.

Haley pointed out that 23 states and the District of Columbia have already approved medical marijuana.

“We have to get this done,” Haley said. “Everyone in this Capitol knows that one day, one day, medical marijuana will be available in every one of the 50 states. We know that. The question is ... will Kansas be the 24th state or the 50th?”

Haley called medical marijuana common sense. He and Finney have introduced the legislation every year since 2009 and in previous years have struggled to find any support, but this year they’re a bit more optimistic. Haley noted that the policy would receive an informational hearing next week.

Finney said legalizing medical marijuana and taxing it would generate an additional \$1.3 million in revenue for the state.

They have at least one Republican lawmaker on board. Rep. J. Basil Dannebohm, R-Ellinwood, spoke in favor of the legislation at the rally. Dannebohm, a freshman Republican, said one of his constituents has a child who suffers seizures who could be helped by medical marijuana.

“I don’t know if it’s breaking party lines. I don’t know if this is a party issue. You know I had a young constituent come to me with a son ... who has 30 seizures a day. They’ve tried everything,” he said. “A child deserves to live a semi-normal life. How can I in good conscience not at least explore the opportunity?”

“It’s about getting voices heard. It’s about getting the data. It’s about getting over the stigma. I mean, my goodness gracious, alcohol was considered evil for quite a time in Kansas history,” Dannebohm said. “Let’s start a dialogue. Let’s start a conversation.”

A few other Republican lawmakers observed the rally and said they were keeping open minds. Rep. Steve Anthimides, R-Wichita, said he would welcome a hearing on the issue, and Rep. Joseph Scapa, R-Wichita, said he opposes recreational use of marijuana but is interested in learning more about medical uses.

The bill will still face an uphill battle. House Speaker Ray Merrick, R-Stilwell, and Senate President Susan Wagle, R-Wichita, have both voiced opposition to medical marijuana in the past.

David Mulford, a 56-year-old Hutchinson resident, said he already uses marijuana for medicinal purposes and credits it with saving his life.

“I’m here today because of it. Since the ‘80s I’ve suffered from massive debilitating muscle spasms. ... Those spasms, the only thing that would stop them was cannabis and it’s just been a miracle,” said Mulford, who suffers from cardiovascular spasmic angina and uses a wheelchair.

“What this does, though, is let me live a life that’s not totally encumbered by pain,” Mulford said.

Jennifer Winn, who is mounting a campaign for mayor of Wichita after previously running for governor, also attended the event.

Haley and Finney were presented with green felt M’s from Esau Freeman, a Wichita activist, in recognition of their commitment to the issue

Read more here: <http://www.kansascity.com/news/state/kansas/article6935565.html#storylink=cpy>