

“ THE PECK PERSPECTIVE ”

(From the Capitol)

March 25, 2024

With first adjournment rapidly approaching (scheduled for April 5th), the period between now and then is when legislators spend significant amounts of time in the Capitol debating and voting on bills; frequently working late into the evening (or night). Although some issues have been settled, many have not. This week is when both chambers are expected to put their final stamp on legislation. However, frequently the “stamp” is different between the chambers. That is when the conference committee process kicks in and representatives from both chambers work to reconcile the differences.

Putting the Brakes on the “Green New Deal” in Kansas (HB 2783): One such bill that has passed both chambers with the same language, HB 2783, is designed to protect the freedom of vehicle shoppers and owners in Kansas. The bill simply says that no state agency or local government can restrict the use or sale of motor vehicles based on the energy source used for propulsion or for powering other functions. Passage of HB 2783 shows that a majority of legislators believe Kansans should be allowed to decide if they wish to drive either a petroleum-powered, electric-powered, or a hybrid (uses both) vehicle.

Nearly a dozen states, including Colorado, where they smoke a lot of marijuana, and California have passed restrictions on the sale of petroleum-powered vehicles; with the restrictions being phased in over a 6-to-12-year period. To ensure this troubling trend does not occur in Kansas, HB 2783 passed both chambers with veto-proof majorities; the House 89–30 and the Senate 29–9. I voted yes. HB 2783 is now headed to the governor’s desk for her consideration.

Funding the Cost of Administering Ignition Interlock Devices (SB 493): Currently the cost of administering ignition interlock devices (IID) is borne by taxpayers. These devices are often installed, after a court order, on vehicles of persons with multiple DUI or DWI charges or convictions. Passage of SB 493 would change the law so that the manufacturers of such devices would pay an installation fee of \$10 to the Kansas Highway Patrol (KHP), the agency responsible to administer IIDs, and then a monthly fee of \$5 for each IID in use and maintained by the manufacturer. The fees are expected to provide \$640,000 annually and the money could only be used for administration, oversight, and monitoring of the IID program. There are currently 9,581 active IIDs in Kansas, and 6,609 were installed in 2023. Interestingly, when it came time to vote, passage of SB 493 was not certain. However, it did pass the Senate 28–12. I voted yes.

Protecting Senior Citizens (HB 2562): It is sad that society has for too long had to deal with unscrupulous people who apparently are callused when it comes to taking advantage of older people. It happens more often than many of us are aware. Therefore, as a way of providing a layer of protection in one area, the Legislature passed HB 2562.

HB 2562 creates the Protect Vulnerable Adults from Financial Exploitation Act (Act). If enacted, HB 2562 would require a broker-dealer or investment adviser to promptly report instances in which the financial exploitation of an eligible adult may have occurred, has been or is being attempted. The bill would also allow a broker-dealer or adviser to delay a transaction with, or disbursement from an account of an eligible adult, including account beneficiaries, when financial exploitation is suspected. Additionally, the bill would amend the Kansas Uniform Securities Act with guidelines for discipline of a broker-dealer or adviser who knowingly failed to make a report required under the Act. HB 2562 has passed both chambers with slightly different language, but not significantly enough to hinder its eventual passage. The Senate vote was 38–2, and in the House, it passed 120–0.

Continuing to Work Toward Tax Relief: Last week, I reported that the Senate had made another run at providing tax relief (SB 539) for Kansas families with a veto-proof majority vote of 29–11. As the week concluded, the House Tax Committee assembled their plan in House Substitute for SB 300. The two bills have some similarities but in many ways are quite different. We should know in the next few days, after H. Sub. for SB 300 is debated in the House Chambers, if it has sufficient support to withstand a gubernatorial veto. After the House determines their tax plan, the conference committee will start meeting to work at meshing the many provisions of the two bills into one that can pass both chambers, hopefully with supermajorities. As vice-chair of the Senate Tax Committee, I count myself fortunate to have a seat at the table during negotiations with the House.

Until next time, may the blessings of God be yours.

Virgil Peck
State Senator