

“ THE PECK PERSPECTIVE ”

(From the Capitol)

May 1, 2023

A motion and vote in the Senate to adjourn Sine Die, followed by the final sound of the gavel, ended the 2023 Legislative Session at 9:15 p.m. on Friday, April 28th. Sine Die is Latin for “without any future date being designated”.

During the three days leading up to Sine Die, the Senate debated and voted on nine conference committee reports, confirmation of a new Adjutant General and 12 veto overrides. In total, the Senate and House considered all 15 of Governor Kelly’s vetoes and the 28 line-item vetoes in the original budget bill. However, overriding a veto proved more difficult than expected, as only eight saw success in both chambers – plus three of the line-item vetoes. I voted yes to every veto override.

The House failed to override three vetoes, while the Senate failed on four override attempts. Of the 28 line-item vetoes considered, which started in the House, only four were sent to the Senate for consideration. The Senate passed three of the four.

As a reminder, back to April 5th, the Legislature overrode the first of Kelly’s 15 vetoes. That bill, HB 2238, was the Fairness in Women’s Sports Act – keeping boys out of girl’s athletics, locker rooms and showers.

The recent successful overrides include: **SB 180** – establishing the Woman’s Bill of Rights, putting a definition of biological sex (male & female) in statute for the purposes of providing separate spaces (dressing rooms, locker rooms, restrooms, etc.) for the two genders where safety or privacy are implicated; **SB 228** – amends Kansas statutes regarding county jails, requires separate spaces for male and female inmates and requires the Secretary of Aging and Disability Services to reimburse the County for costs related to holding a person in custody who is waiting examination, evaluation or treatment for competency to stand trial at the rate of \$100 per day; **HB 2094** – require a parent to be current on their child support payments in order to receive government subsidies and extends the age in which a person without dependents and receiving food stamps must be a participant in an employment and training program to age 59; **HB 2138** – requiring schools to provide separate accommodations for boys and girls on school sponsored trips, permit local radio stations to broadcast postseason sporting events, and have the State Board of Education review closing of school buildings; **HB 2264** – defining abortion in statute and amending the Woman’s-Right-to-Know Act by requiring abortion clinics to post a notice about reversal of abortion options with certain medications; **HB 2313** – The Born-alive Infants Protection Act, requiring babies born alive, regardless of the circumstances surrounding their birth, to be given

medical care in order to try and save their life; and **HB 2350** – creating the crime of human smuggling and establishing penalties for intentionally transporting another human who is known, or that should have been know, to be in Kansas illegally, for the purpose of human trafficking.

A Major Failed Veto Override: When asked about their greatest disappointment of the 2023 session, many conservatives (including myself) have said it was the failure of the legislature to override Governor Kelly’s veto of SB 169, a tax cut for every Kansan. Since SB 169 was a bill that originated in the Senate, the veto override effort started there. We tried on two different occasions (the maximum number allowed) at an override, but failed both times – thanks in large part to the work of Dennis Pyle, the 2022 Independent candidate for governor. Kansas families and businesses will now have to wait another year before they see income and property taxes reductions.

Some, including the Governor, said the Kansas Government couldn’t afford the tax cuts in SB 169, projected at \$1.352 billion over the next three years – an average of \$450 million annually. Everyone knows that every dollar the State spends came from a taxpayer. Therefore, keeping taxes as low as possible is best for the taxpayer. Not only is that my philosophy, but simple math reveals the tax cuts in SB 169 were more than affordable.

After the budget bill, SB 25, passed (I’ll write about that next week), the ending balance (money in the state’s bank account) is projected to be over \$2.5 billion. And the budget stabilization (rainy day) fund has over \$1.5 billion. Adding those two figures together reveals the State is holding more than \$4 billion of taxpayer money above what is needed. And we can’t afford to cut taxes for Kansans by \$450 million per year? I say, we can and should.

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

Virgil Peck
State Senator