

“ THE PECK PERSPECTIVE ”

(From the Capitol)

March 20, 2023

Now We Know: Last week, when writing about HB 2238, the Fairness in Women’s Sports Act, I mentioned that Governor Kelly had twice (in 2021 & 2022) vetoed such legislation, but that during her 2022 reelection campaign she stated, *“Of course men should not play girls’ sports.”* Her comment was understood to imply a change in her position of allowing boys to compete in girls’ sports and intrude into their locker rooms. I wrote, *“We’ll all soon learn if those words were just campaign rhetoric, or if she was honest in what she said.”*

Well, we now have our answer – Governor Kelly was not honest. On Friday, March 17th, she vetoed HB 2238 stating, *“As I’ve said before, we all want a fair and safe place for our kids to play and compete.”* What?? Allowing boys to play on girls’ athletic teams and in girls’ locker rooms is “fair and safe”?

The Legislature will now have the opportunity/responsibility to protect females in Kansas by overriding Kelly’s veto. I’ve received many emails asking that I vote for the override. Although I appreciate the emails, this is a no-brainer – I’ll vote yes in honor of female athletes and support the override. However, since HB 2238 is a House bill, the override starts there, where its success is uncertain.

State Budget: Historically, I haven’t voted for the state budget. It has frequently been little more than a rubber stamp of the Governor’s budget proposal and spends more money than necessary. However, the budget assembled by the Senate Ways and Means Committee this year, SB 155, is reasonable – as compared to the past. Additionally, a floor amendment to require spending reductions of 3.25%, totaling about \$97 million, excluding health, public safety, and K-12 education, makes SB 155 even better.

SB 155 is just the first step in the process. The House will also pass a budget bill. The differences between the House and Senate budgets will then be worked out in a Conference Committee.

Finalizing (sort of) Some Issues: Over the past few weeks the Senate has taken votes on issues the Governor mentioned as priorities during her State of the State speech in January – all were voted down. Taking those votes renders the following three issues basically dead for this session.

An amendment was offered during floor debate of SB 248 to provide a sales tax exemption for feminine hygiene products and diapers. It failed on a 16–20 vote. Then during debate of the budget bill (SB 155) an amendment was offered to expand Medicaid in Kansas. It failed 11–22. Finally, after two full days of committee hearings, the Federal and State Affairs Committee voted to table SB 135, a bill to open the door for the sale of medical marijuana in Kansas. However, as Capitol observers will readily tell you, “Nothing dies in the Capitol, at some point in the future it will rise again.”

But, having taken a vote in one chamber, it generally signals the end of further debate on an issue, for at least that session.

Reforming Education to Better Serve Kansas Children: In some circles there has been a lot of talk about SB 83, a bill the House passed to provide parents with additional flexibility in guiding their children's education. Although SB 83 is a Senate bill, the House added (amended) significant language, so it is now in a conference committee. The conference committee process will slow things down and allow each legislator to fully understand the contents.

Since the bill just recently came back to the Senate, I am not familiar with all its provisions, but I am intrigued by what I have learned to this point. SB 83 creates the Sunflower Education Equity Act, which provides education savings accounts for students. Other provisions add money specifically designated to go toward teacher pay increases and money to increase special education funding.

With college readiness and grade-level proficiencies declining, it is imperative for all to think outside the box and come together to work on solutions. We have seen over the past several years that throwing hundreds of millions of additional dollars at the problem isn't working. Additionally, Kansas, like many other states, is facing widespread teacher shortages and retention challenges. I don't yet know if SB 83 provides many answers, but I'm willing to look at multiple options to address the aforementioned issues.

Until next time, may the blessings of God be yours

Virgil Peck
State Senator