

“ THE PECK PERSPECTIVE ”

(From the Capitol)

May 15, 2023

Congratulations Graduates: This month, Kansas schools are honoring graduates and handing out diplomas. Graduation is a special time in the life of a student and deserves special recognition. I join many other Kansans in saying a hardy: Congratulations to all Graduates – job well done!

More Vetoes of Good Legislation: The great baseball player and later manager of the New York Yankees, Yogi Berra, is credited with spouting many memorable quotes. Those quotes, known as "Yogiisms", include: "It ain't over 'til it's over." and "No one goes there anymore. It's too crowded." However, after learning that Governor Kelly had again (on May 12th), used her veto power on a couple of good pieces of legislation, the "Yogiism" that comes to mind is, "It's like déjà vu all over again." In April the Governor vetoed 15 bills and parts of the budget bill. The two recent vetoes put the total at 17 for the 2023 session.

Why would a governor, especially one who claimed numerous times during the 2022 election cycle that she was a "middle of the road" governor, oppose minor tax cuts for Kansas citizens, or legislation protecting Kansans from an overreaching government bureaucracy? Could it be that the "middle of the road" comment was to hide her radical leftist agenda and secure votes for re-election?

The two vetoed bills, SB 8, a tax bill, and HB 2285, healthcare freedom legislation, would have benefited Kansas residents – but neither will become law. Generally, after pointing out gubernatorial vetoes, I'd mention the possibility of a veto override. However, since the Legislature has adjourned the 2023 session, there will be no opportunity to consider a veto override.

Vetoed Tax Bill: SB 8 is a bill that would have made many (about 18) changes to tax law in Kansas. I honestly thought there was a good chance SB 8 would escape strangulation by veto, but it didn't.

Some of the provisions in SB 8 were: Reform the Homestead Property Tax Refund Act to benefit senior citizens and disabled veterans; Change the sales tax law so sales tax would not be charged on the full price of an item when a manufacturer's coupon is used to reduce the price of the item – sales tax would be charged on the reduced price, not the full price as is currently done; After an initial statement listing tangible personal property has been filed with the county appraiser, future annual filings would only be required only if there is a change in the property listed; Add another year wherein the State would pay counties for the cost of mailing notices of proposed tax increases above the revenue-neutral rate; Require property valuation

notices mailed by County Appraisers to include the appraised and assessed value for the current year and the two preceding years; Implement a tax credit for contributions made to not-for-profit pregnancy centers or residential maternity centers; Provide a property tax exemption for a private business located in a city where the government later opens a business that is in direct competition with the private business; Increase the state adoption tax credit to 75 percent of the federal tax credit for most children and to 100 percent if the child has special needs and was a Kansas resident prior to the time of the adoption; and, finally, provide a sales tax exemption for businesses acquiring materials, and the construction costs, to expand high-speed internet service to underserved areas.

Again, SB 8 was vetoed, so none of the above changes will be in effect anytime soon.

Enhanced Health Freedom for Kansans: The other veto was of HB 2285, a bill that would rein in government's ability to implement excessive and far-reaching mandates during a perceived healthcare crisis.

During the recent pandemic, government at all levels dramatically overreached in ways that left critical decisions about core constitutional freedoms to the whims of unelected bureaucrats, rather than allowing Kansans the freedom to decide how they would protect their own health. What originated as 15 days to slow the spread turned into more than two years of unnecessary mandates and restrictions.

HB 2285 was passed to ensure that Kansans' freedoms are secured in the future. Among the provisions in HB 2285 were: Restrict the ability of unelected officials at the state and local level to issue orders – but rather that their roles be advisory in nature, allowing them to issue recommendations; Define the COVID-19 "vaccine" and prohibit the Secretary of the Kansas Department of Health and Environment (Secretary) from requiring the COVID shot for a child enrolled in daycare (public or private) or a student enrolling in a school for the first time; Authorize the Secretary to only make recommendations and restrict their ability to adopt rules and regulations for healthcare workers and first responders exposed to blood or other infectious materials; Uphold the constitutional right to freedom of assembly by preventing restrictions on public gatherings; and remove the requirement that a sheriff or law enforcement officer assist in the execution or enforcement of an order by the Secretary or local health official.

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

Virgil Peck
State Senator