

# “ THE PECK PERSPECTIVE ”

(From the Capitol)

April 29, 2024

Just prior to leaving the Capitol in early April for our April recess, two senators made separate motions to pull two failing bills, SB 135 and SB 355 out of the committee they were assigned to. By rule, the vote on such a motion will take place on the following legislative day, which in this case was after the 20-day recess. A motion to pull a bill out of committee takes 24 yes votes. If that motion is successful, it would almost assuredly be followed by another motion to put the bill on the Senate floor for debate and a final action vote, which takes 27 affirmative votes.

The subject of the two bills are legalization of “medical” marijuana (SB 135) and expanding Medicaid in Kansas (SB 355).

During the April recess, I conducted a 10-city listening tour of Senate District 15. During the tour, I mentioned the two bills and stated I would be voting “no” to medical marijuana, but I was listening for someone to present a reason for me to vote “yes” to expanding Medicaid benefits to non-disabled, working age (19-64) adults. A couple thoughts presented, but neither came close to outweighing the downside to taxpayers if Medicaid expansion were to pass. Therefore, I voted no on both motions.

The vote count on SB 135, the one its supporters like to call legalization of “medical cannabis”, failed 12–25, while the vote on Medicaid expansion failed 18–17. As a reminder, in December I surveyed active registered voters – republicans, democrats and unaffiliated – in Chautauqua, Elk, Labette, Montgomery and Neosho counties. One of the questions on the survey was: “*Should Medicaid be expanded to cover non-disabled, working age adults?*” I received 507 responses with 63.5% (322) saying no, 22.3% (113) saying yes and 14.2% (72) indicating they were undecided.

**Protecting Minors Will Become Law (SB 394):** In early April, the Legislature sent a bill, SB 394, to the governor that is designed to protect children from inappropriate material. SB 394 requires pornographic websites to use age verification technology before allowing access to their website. Any person able to access such a website without age verification can report the violation to the Kansas Attorney General (AG). The AG is required to investigate the reported violation and can bring action against the commercial entity and impose a fine of up to \$10,000 for each violation. Sadly, Governor Kelly refused to sign the legislation. But since the bill passed the Senate unanimously, and the House 92–31, she let it become law without her signature.

Much like tobacco, alcohol, or other controlled products, pornography’s harmful impacts are even more harmful to young, developing minds. It’s disturbing that almost 75% of children have viewed pornography by the age of 17, and that the

average age of first exposure is under 12 years of age. More-often-than-not, the exposure occurred because a child stumbled onto pornography by accident.

Several states have passed similar legislation and when challenged in court, they've been upheld. Additionally, some notorious websites have decided to shut off access to their sites in such states rather than comply with the law to protect children.

**Helping Military Personnel and Spouses (HB 2745 & SB 462):** A bill the governor did sign is HB 2745, which provides for reciprocal occupational licensing for military members and their spouse while residing or planning to reside in Kansas due to being assigned to a military station. These individuals would be exempt from application fees and other fees such as criminal background checks. The legislation passed both chambers unanimously.

Another bill signed into law that's designed to assist military persons is SB 462. It authorizes the Director of the Division of Vehicles to waive the testing for driving a commercial vehicle for a military person who is currently licensed, has been employed in the past 12 months in a military position requiring operation of a military vehicle equivalent to a commercial motor vehicle and has submitted a completed application for the waiver.

**No Investing with the Enemy (HB 2711):** Another bill the governor refused to sign, but let it become law without her signature is HB 2711. The bill creates the Countries of Concern Divestment Act, which requires state-managed funds, such as the Kansas Public Employees Retirement System (KPERs), to be divested from countries considered foreign adversaries. Those countries currently include China, Russia, North Korea, Iran, Venezuela, and Cuba. Not only does HB 2711 safeguard the state's retirement system against adversarial foreign threats, but it also makes certain Kansas tax dollars aren't propping up America's enemies.

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

Virgil Peck  
State Senator