

# 2021 Kansas Legislative Report Card comes into focus

*By Chuck Weber, Executive Director, Kansas Catholic Conference*

Kansas women and their preborn babies are one step closer to better protection under the law, and low-income families and their children will have greater educational opportunities this fall. However, our daughters and sisters face an uncertain road ahead when it comes to fair athletic competition.

Those are just a few of the highlights from the 2021 Kansas Legislative Session that officially ended on May 26, 2021. The Kansas Catholic Conference—the public policy arm of the Catholic Church in Kansas—is giving the 2021 legislative session a mostly positive report card. Here are the details.

## VALUE THEM BOTH

**The successful vote placing the Value Them Both state constitutional amendment for life on the ballot for a statewide vote of the people was by far the most significant achievement of the 2021 session. Our work to persuade Kansans to vote YES now begins!**

**Every registered voter in the state will now have a voice when it comes to regulating the abortion industry.** Without Value Them Both—a title recognizing the fundamental value of both mothers *and* their preborn children—the abortion industry will be allowed to conduct business with virtually no legal safeguards. That would be a disaster for both moms and babies.



Value Them Both became necessary after the Kansas Supreme Court issued a ruling in April of 2019 that, in effect, declares virtually every restriction or law about abortion be “presumed unconstitutional.” If allowed to stand unchallenged, more than 20 current pro-Life Kansas laws protecting mothers and babies will almost certainly be overturned.

Those laws include **bans on taxpayer funded abortion, late-term abortions and parental consent for minors seeking an abortion.** The only viable response to the court ruling is passage of a constitutional amendment in a statewide vote. The vote of “yes” or “no” on that state constitutional amendment known as Value Them Both is set for August 3, 2022.

Every Republican legislator in Kansas voted yes on Value Them Both. Every Democrat legislator voted no. To learn more about the Value Them Both Amendment, go to [www.KansasCatholic.org](http://www.KansasCatholic.org) and click on the VALUE THEM BOTH tab. There is also great information at [www.ValueThemBoth.com](http://www.ValueThemBoth.com).



## EDUCATIONAL OPPORTUNITY FOR EVERYONE

In addition to Value Them Both, the 2021 Kansas Legislature passed historic legislation expanding educational opportunity for tens of thousands of Kansas children.

**The Low-Income Tax Credit Scholarship Program** is designed to provide greater educational options for “at risk” students, defined by the Kansas Department of Education as students coming from low-income (free or reduced lunch eligible) households.

The Scholarship Program will allow an estimated 150,000 *more* students statewide to access privately-funded scholarships of up to \$8,000 each. The scholarships can be used to attend Catholic or other non-public schools. The legislation known as HB 2134 also fully funded public schools at historic high levels.

**Highlights of HB 2134 include:**

- Previously, those seeking a scholarship had to come from households with an income level that qualified the student for free lunches. Students can now come from a household with incomes that include *either* free *or* reduced lunch levels.
- Previously, a student had to attend one of Kansas’ so-called “100 low performing schools” to qualify for a scholarship. This restriction is no longer in place. Only the “free or reduced lunch” family income level is needed. Removing this restriction means both urban and rural families and students can better take advantage of the Scholarship Program.
- Students must qualify and access the scholarship in grades K-8, but once they have entered into the Program and have a scholarship, the scholarship remains in place as long as they wish, including through high school graduation.
- All Kansas students, no matter if they attend an accredited public, Catholic or other non-public school are eligible to take the ACT test at no charge—including pre-ACT and ACT Workkeys. Previously, only public school students could take advantage of this provision.

The bill is long, but for those of you who wish to read the details, here is a link to the “bill brief,” or 34-page summary. [http://www.kslegislature.org/li/b2021\\_22/measures/documents/ccrb\\_hb2134\\_01\\_k12ed](http://www.kslegislature.org/li/b2021_22/measures/documents/ccrb_hb2134_01_k12ed)

Details of HB 2134 (technically known as the “Conference Committee Report”) is 58 pages long and can be found here: [http://www.kslegislature.org/li/b2021\\_22/measures/documents/ccr\\_2021\\_hb2134\\_s\\_2284](http://www.kslegislature.org/li/b2021_22/measures/documents/ccr_2021_hb2134_s_2284)

The bottom line to all of this is that a new generation of students seeking alternatives to their current public school may soon find an education at a Catholic school. There is much work to do, not the least of which is bolstering the financial foundation of our Scholarship Granting Organizations (SGO’s). But we believe the donors will be there. We believe families and students desire the excellence of a Catholic education.

**FAIRNESS IN WOMEN’S SPORTS—AN UNSETTLING DEFEAT**

The biggest disappointment of the 2021 session was failure to pass the Fairness in Women’s Sports Act which would have ensured that biological girls and women would only compete in athletics against other biological females. The legislation passed with wide margins, but was successfully vetoed by Governor Kelly.



This legislation, officially known as SB 55, is a fascinating read. It can be accessed online at:

[http://www.kslegislature.org/li/b2021\\_22/measures/sb55/](http://www.kslegislature.org/li/b2021_22/measures/sb55/) You may watch the debate online in an archived YouTube link at:

<https://www.youtube.com/watch?v=wiFDJXtKwQc&t=12808s> The debate begins at: 3:33:06, with particularly outrageous comments from Senate Minority Leader Senator Dinah Sykes beginning at 4:13:24 where she declares there would be “blood on your hands” if SB 55 passed.

SB 55 would have protected women and girl athletes from the unfair physical advantages inherent in bigger and stronger biological male competitors. It would prevent situations like that which occurred in Connecticut where

two teenage boys “transitioned,” identified as female, and then took 15 state track championships from nine girls who previously held the titles.

Women who testified in favor of SB 55 included several champion Kansas University athletes, a former Olympian and one of the first women from Kansas to take advantage of Title IX, the landmark law that guaranteed equal opportunities for college scholarships and participation previously reserved for men.

The news media—wholly adopting language and issue framing supplied by opponents like the Kansas LGBTQ+ lobby—claimed SB 55 would “ban transgender” kids from sports. This is simply untrue. It would not have impacted biological males or co-ed teams. Everyone would get to play.

The *Fairness in Women’s Sports Act* would have simply ensured that athletic competition would take place on a level playing field for all Kansas students. The words “ban” or “transgender” are not found in the bill. The news media narrative of a “transgender sports ban” carried the day. Proponents of SB 55 were vilified as “schoolyard bullies.”

It would be a mistake to shrug our shoulders and dismiss the loss of the *Fairness in Women’s Sports Act* as a meaningless political skirmish. Like other aspects of Catholic Church teaching connected to contemporary culture, we find a valuable lesson.

First and foremost, Catholic teaching compels us to act with compassion regarding those experiencing a same-sex attraction or other experiences. Acting with compassion does not mean we abdicate the truth and reality of the gift of human sexuality.

Pope Francis has been clear about the evil of “gender ideology.” The Holy Father has been equally insistent about advocating a “Christian anthropology” and a “human ecology” that respects “our dignity as human beings” and “the necessary relationship of our life” to the “moral law, which is inscribed into our nature.” (*Laudato Si’*, pp. 154-155).

## MORE 2021 LEGISLATIVE ACTION

### PAYDAY LOAN REFORM



More often than not, introducing and adopting good legislation is an exercise in perseverance over the long haul. In the case of payday loan reform in Kansas, that “exercise in perseverance” has been ongoing for decades. The Kansas Catholic Conference is helping reenergize a reform effort to reign in the Payday Loan Industry.

**Currently, it is legal in Kansas to charge nearly 400% interest on short term loans.** These loans are almost always taken out by the working poor who have no other short-term options for meeting financial obligations. Financial stress plays a big part in destabilizing families. In both 2020 and 2021, the Kansas Catholic Conference helped generate support for committee hearings on payday loan reform. Regrettably, no legislation was voted upon so our efforts—and those of others—will continue. Our goal is not to eliminate the payday loan industry, but to make the terms of these loans less onerous on those who need them. We are seeking regulations that lower the interest rates and fees paid by borrowers and that extend the amount of time they have to repay the loans. Our efforts will continue throughout the summer and into next year.

To learn more about payday loans and how they hurt family stability, go to:

<https://kspaydayreform.wixsite.com/website>



## **BALANCING STATE BUDGETS ON THE BACKS OF THE INTELLECTUALLY DISABLED**

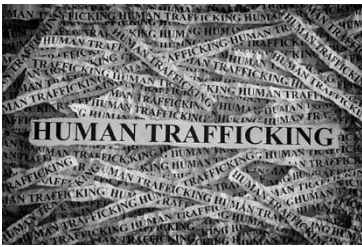
About one year ago, the state of Kansas was running out of money to pay its bills. The Governor had multiple options about where budget cuts would be made to keep Kansas books in the black. Unfortunately, one of those cuts, known as “allotments,” came at the expense of the Intellectually and Developmentally Disabled (I/DD) community.

This unconscionable decision cut \$22 million in funding that would directly support Kansans with disabilities. This decision to punish vulnerable Kansans was inexcusable.

The Kansas Catholic Conference joined others and successfully lobbied to restore cuts made to the disability community and expand social services to help Kansans. This work also included:

- Funding that increases the protected income level from (PIL) 150% to 300%. Raising the protected income level helps seniors and adults with disabilities receive important services, while allowing them to stay in their communities and homes.
- Increase in mental health funding including emergency crisis intervention services, specifically when an individual is considering taking their life.
- Advocating to ensure all individuals with traumatic brain injuries can receive the important services they need in order to cope and adapt to their new challenges.

## **MORE LEGISLATIVE ADVOCACY BY THE KANSAS CATHOLIC CONFERENCE**



### **HUMAN TRAFFICKING**

Pope Francis recently decried human trafficking as “an abhorrent plague” and asked legislative leaders to turn their attention and greater efforts to this crisis that impacts more than 21 million people throughout the world. Senate Bill 56 is an important effort to answer this challenge. The Kansas Catholic Conference submitted testimony in favor of Senate Bill 56, designed to increase awareness and critical assistance for victims of human trafficking in Kansas. This bill is expected to be considered again next year.

### **ACCESS TO HEALTHCARE**

Rural Kansans and others often face unique challenges in accessing healthcare. One proposed solution is Medicaid Expansion, which the Kansas Catholic Conference supports, but is politically unfeasible at this time. Another path is changing regulations on Advanced Practice Registered Nurses (APRNs). APRNs are nurse practitioners, nurse midwives, nurse anesthetists and clinical nurse specialists who have masters or doctorate degrees and may serve the role in certain circumstances as primary care providers. Legislation debated during the 2021 Session was HB 2066. Physician groups opposed HB 2066, citing that APRN education is not comparable to physician education and that APRNs cannot substitute for physicians. The Kansas Catholic Conference would like to see greater use of APRNs, if possible. Extensive study of this issue, including consultation with the National Catholic Bioethics Center (NCBC) indicated that without the protection of the Value Them Both amendment, some APRNs might use their extended authority to perform abortions. While committed to increased access to healthcare, the KCC did not have a policy position on HB 2066.





## CRACKDOWN ON SEXUALLY ORIENTED BUSINESSES



**Sexually oriented businesses are not engines of economic prosperity.** Their operation has been proven to have damaging effects on communities, such as increased sexual crime, human trafficking, blight and sexually transmitted diseases. Communities are easily intimidated by threats coming from the well-financed and highly litigious sex industry. This is why the Kansas Catholic Conference strongly supported and testified in favor of HB 2403, also known as the Community Defense Act. This bill did not get “worked” (no vote), during the 2021 Session. The KCC will continue to advocate for this legislation.

### ABOUT THAT VETO THAT WOULD HAVE FUNDED COVID-19 RESEARCH WITH ETHICAL ADULT STEM CELLS

The 2021 omnibus (final) budget included \$500,000 which would have funded a COVID-19 treatment research project using ethical adult stem cells taken from umbilical cord blood. Regrettably, funding for this research project, which would have been conducted at the Midwest Stem Cell Therapy Center at the University of Kansas, was vetoed by Governor Kelly.



The Governor said the study was not realistic or feasible, and that the study would cost ten times the amount allocated. Advocates for the study—including the Kansas Catholic Conference—*disputed that claim using the Governor’s own data and peer-reviewed study* to show a smaller, but potentially effective study could have been conducted on ten patients with a cost of about \$42,000 per patient.

The Kansas Catholic Conference sent out a late grassroots voter alert, urging that the veto be overridden on the last day of the Session. Unfortunately, a vote did not take place and the veto was sustained.

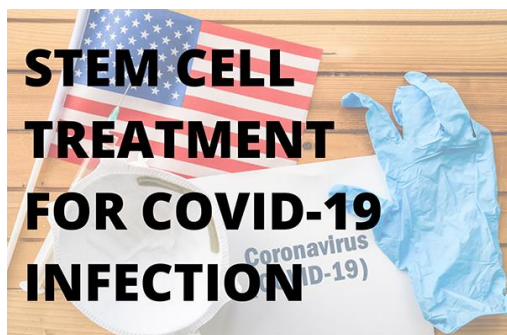
According to Senate President Ty Masterson and the chief advocate of the proposed override, Senator Mike Thompson (R-Shawnee), the Kansas Legislature will continue to educate their colleagues and advocate for this and other clinical studies using adult stem cells.

“There is currently no treatment available for COVID-19 patients who have developed the most severe symptoms, including pneumonia,” explained Senator Thompson. “There is an urgent need for a medical intervention beyond supportive therapy for these patients.”

### THE REST OF THE STORY...

As with most issues debated at the Statehouse, there are various subplots including “political” subplots.

In this case, it should be noted that Governor Kelly was a vociferous opponent of the establishment for the Midwest Stem Cell Therapy Center (MSCTC) at the University of Kansas when she served in the Kansas Senate. The MSCTC uses *only* adult stem cells, which are found throughout the human body in fat cells, umbilical cord blood and elsewhere and pose no ethical dilemma. On a global scale, there is still



a debate in some academic and scientific circles about the efficacy and legitimacy of research using human life at the embryonic stage of development versus adult stem cells, which pose no ethical concerns.

The Kansas Catholic Conference stands firmly in favor of adult stem cell research for number of reasons. Despite tens of billions of dollars spent—most of it taxpayer money—no one has yet to be cured of any disease or condition using embryonic stem cells. This is a remarkable statement of fact that is almost always dismissed or ignored by the “mainstream” scientific community and the secular news media.

Meanwhile, adult stem cell therapy and research has led to the treatment of more than a million people suffering from various cancers, autoimmune diseases, anemias, wounds and injuries and other conditions.

<https://lozierinstitute.org/fact-sheet-adult-stem-cell-research-transplants/>

If you are interested in learning more about the success of adult stem cells, we invite you to spend time on this web site: <https://www.stemcellresearchfacts.org/>

## FEDERAL LEVEL LEGISLATION—WASHINGTON, D.C.

Although most of our energy is directed at state level policies, the Kansas Catholic Conference does advocate for and against federal-level legislation being considered In Washington, D.C. Among the various issues we follow are these:



- We urge our Kansas Congressional delegation to resolve the “Dreamer’s” issue, also known as DACA, or Deferred Action for Childhood Arrivals as an issue of justice and humane treatment of immigrants.
- The Kansas Catholic Conference joins the United States Conference of Catholic Bishops (USCCB) in strongly opposing the so-called “Equality Act.” <https://www.usccb.org/equality-act>
- **Elimination of the Hyde Amendment is a serious threat.** Beginning in 1976, the Hyde amendment and similar measures have prevented the federal government from forcing pro-life Americans to support abortion with their tax dollars. Now the 44-year-long bipartisan consensus on this issue is under attack. Read more about it here: <https://www.usccb.org/resources/reality-check-extreme-campaign-against-hyde-amendment-0>

### A FINAL WORD FROM THE DIRECTOR’S DESK



The cultural earth is moving under our very feet and the teachings of Mother Catholic Church are in the crosshairs. Can you feel it? As one who is daily engaged in this great struggle, may I please ask that you pray for our efforts. Each morning of the 2021 Legislative Session at 7:30 a.m., we invited and gathered elected officials, legislative staff, and even lobbyists to pray the Rosary and recite the Litany to St. Joseph. One State Representative who joined us remarked that it may have been the “best thing we did all session!” Nothing happens without prayer. Everything happens with it. Be not afraid. Be not discouraged. Thank you for reading this newsletter and keeping up-to-date on what’s happening. We are a people of joy! St. Joseph, Terror of Demons, pray for us. Our Lady of Guadalupe, Patroness of the Unborn pray for us. Holy Trinity, One God, have mercy on us! --Chuck Weber

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