

Journal of the Senate

THIRTY-EIGHTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Friday, March 7, 2008—8:30 a.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-one senators present.
Senators Barnett, Brungardt, Gilstrap, Haley, Jordan, McGinn, Pyle, Wagle and Wysong
were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

A political observer recently described an ideal American President as both
ruthless and compassionate, visionary and pragmatic, cunning and honest,
patient and bold, combining the eloquence of a psalmist with the timing of a
jungle cat.

I believe that all of us, O God,
Involved in the legislature
Can see some observer judge
A politician's nature.

Getting bills into law
Challenges our imagination,
Which has been cultivated
Whether in state or nation.

Of the ten attributes
The observer has opined;
I might accept eight of them,
But leave the other two behind.

The dictionary defines cunning
As crafty or full of deceit.
While it says that ruthless
Has no mercy in defeat.

But I think You would agree, O God,
That any legislator
Would welcome the other eight
With few others being greater.

Being honest, bold, pragmatic,
Having vision and compassion;
Plus patience, timing, eloquence,
All should be in fashion.

I pray in the Name of Jesus Christ,

AMEN

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following resolution was introduced and read by title:

SENATE CONCURRENT RESOLUTION No. 1621—

By Senators Morris and Hensley, Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, D. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson and Wysong

A CONCURRENT RESOLUTION urging Congress and the President of the United States to halt the contract process for the Air Force mid-air refueling tanker until Congress and the President have reviewed and approved all the technical, security and economic aspects of the purchase

WHEREAS, The Air Force needs a proven and adaptable refueling tanker aircraft to support the war fighters of today and tomorrow; and

WHEREAS, The Boeing Company has been building and maintaining refueling tankers for 75 years and has more experience building tankers than any other company on earth; and

WHEREAS, The Boeing KC-767 is flying today while the competing European-designed Airbus tanker is not flying or refueling today; and

WHEREAS, The KC-767 meets or exceeds all Air Force requirements, including range and fuel offload capabilities, and mission flexibility for carrying patients, passengers and material; and

WHEREAS, The KC-767 is interoperable with 99% of the Air Force's existing equipment, saving an estimated \$4 billion in lifecycle costs, and operates from existing infrastructure throughout the world saving the expense of costly runway, tarmac and hanger expansion required for the larger Airbus plane; and

WHEREAS, The Boeing tanker utilizes the most advanced technology, including an unrivaled sixth generation boom with cutting edge controls at increased fueling speeds. It has an advanced flight deck based on modern 777 control, and the KC-767 can operate from many more bases worldwide. The Airbus model is so large it cannot land at many critical military bases, reducing its value as a military support asset; and

WHEREAS, The European-built tanker burns 24% more fuel while flying, producing 30% higher emissions and an estimated \$14.6 billion more in fuel costs over the life of the plane; and

WHEREAS, The American taxpayer will pay the bill for an untested plane that will be manufactured in Europe and "finished" in a yet-to-be-built facility in the United States, while the Boeing tankers would be built on an existing assembly line in the United States and contain 85% American-made content; and

WHEREAS, The European manufacture of these critically important tankers will be controlled by European governments including France and Russia, giving Europeans 19,000 jobs that can and should be performed by American workers; and

WHEREAS, Given the current state of the American economy, taxpayer dollars should not be used to fund the economic growth of European countries, while the United States loses 44,000 quality jobs associated with the KC-767; and

WHEREAS, Our federal, state and local governments will lose billions of dollars in potential taxes from the export of these well-paying jobs and corporate gains made possible by the American taxpayer: Now, therefore,

Be it resolved by the Senate of the State of Kansas, the House of Representatives concurring therein: That the President of the United States and the Congress halt the contract process for the Air Force mid-air refueling tanker and are strongly urged to immediately and vigorously investigate the proposed outsourcing of taxpayer-funded jobs, its impact on the American economy and the procurement process that made possible this transfer of billions of dollars to foreign workers; and

Be it further resolved: That the President and Congress are urged to investigate and thoroughly review the benefits, costs and national security risks associated with contracting

for the design and construction of high-technology military equipment and systems in and by foreign nations which may not always be attuned to American interests, objectives or missions; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to the President of the United States, the Secretary of Defense, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives and each member of the Kansas Congressional Delegation.

On emergency motion of Senator Petersen, **SCR 1621** was adopted by voice vote.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Federal and State Affairs: **SB 672**.

Utilities: **HB 2919**.

Ways and Means: **SB 673**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators V. Schmidt, Allen, Apple, Barnett, Barone, Betts, Brownlee, Bruce, Brungardt, Donovan, Emler, Francisco, Gilstrap, Goodwin, Haley, Hensley, Huelskamp, Jordan, Journey, Kelly, Lee, Lynn, McGinn, Morris, Ostmeyer, Palmer, Petersen, Pine, Pyle, Reitz, D. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil, Wagle, Wilson and Wysong introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1820—

A RESOLUTION congratulating and commending Colonel William R. Seck upon his departure from dedicated service to the state of Kansas as Superintendent of the Kansas Highway Patrol.

WHEREAS, On February 8, 2008, after serving five years as Superintendent of the Kansas Highway Patrol, Colonel William R. Seck concluded his service to the State of Kansas so he could focus his attention on providing care to aging family members; and

WHEREAS, Seck grew up in Independence, Missouri, and graduated from the University of Missouri at Kansas City in 1975 with a Bachelor's of Arts degree. He began his career with the Federal Bureau of Investigation (FBI) in 1972 as a support employee in the Kansas City office. In 1976, he was accepted into the FBI New Agents Class at Quantico, Virginia. Upon completion of his training, Seck transferred to Las Vegas, Nevada, where he worked on general criminal matters. In 1979, he transferred to the New York City Division and focused on foreign counterintelligence investigations. In 1986, Seck was promoted to Resident Agency in Garden City, Kansas, where he began to form close working relationships with other local, state and federal law enforcement agencies throughout Kansas. He was reassigned to the Wichita Resident Agency in 1991; and

WHEREAS, From May 1996 until his retirement in June 2003, Seck was the Supervisory Senior Resident Agent (SSRA) for the State of Kansas. As SSRA, he was responsible for FBI operations throughout the state, and he supervised resident agencies in Garden City, Salina, Topeka and Wichita. He also supervised three Joint Terrorism Task Force operations initiated in the aftermath of the September 11, 2001, terrorist attacks. From May 1996 through September 2001, he supervised two Violent Crime Task Forces in Wichita and Topeka; and

WHEREAS, Governor Kathleen Sebelius appointed Seck as the 19th Superintendent of the Kansas Highway Patrol on July 8, 2003. As the agency's Colonel, he was chair of the Governor's Council on Homeland Security and co-chair of the Kansas Task Force on Methamphetamine and Illegal Drugs and the Kansas Safe Driving Campaign. Seck also was active in the Commission on Healthy and Prepared Schools, FBI Counter Terrorism Executive Board, Kansas Commission on Emergency Response and the Kansas Criminal Justice Coordinating Council; and

WHEREAS, Seck remained actively involved in his profession as a member of the Kansas Peace Officers' Association, Kansas Association of Chiefs of Police, the Kansas Sheriffs'

Association and Safe Kids Kansas. He has been active in the FBI National Academy throughout his 21 years in Kansas; and

WHEREAS, Colonel Seck was known for his enthusiastic dedication to cultivating and maintaining positive working relationships with other local, state and federal agencies. His leadership in the law enforcement community enhanced officer safety, improved public service and advanced public safety for all who live and travel in Kansas; and

WHEREAS, Colonel Seck is highly respected by his friends and co-workers at the Highway Patrol and throughout the law enforcement community, and he will be greatly missed by all those who worked with him: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Colonel William R. Seck for his long and distinguished career in law enforcement and honorable leadership of the Kansas Highway Patrol and wish him luck in all his future endeavors; and

Be it further resolved: That the Secretary of the Senate provide 10 enrolled copies of this resolution to Senator Vicki Schmidt for presentation to the Kansas Highway Patrol.

On emergency motion of Senator V. Schmidt **SR 1820** was adopted unanimously.

Senator V. Schmidt recognized Col. William Seck, and his wife Kathy. Others present were: Lisa Janati, Sheryl Weller, Kay Moorhead, Karen Holzmeister, Mark Thurman, Tony Prideaux, Mark Bruce, Mark Goodloe, Gene Burgoon, Dan Brown, Glenn Thompson and Col. Terry Maple. Senators honored Col. Seck with a standing ovation.

REPORT ON ENGROSSED BILLS

H Sub for SB 327 reported correctly engrossed March 6, 2008.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Monday, March 10, 2008.

HELEN MORELAND, CHARLENE BAILEY, PAT MATZEK, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

