

Journal of the Senate

FIRST DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, January 10, 2011 — 2:00 p.m.

In accordance with the provisions of the constitution of the State of Kansas and by virtue of his office as President of the Senate, Senator Stephen Morris declared the 2011 Senate to be in session.

President Morris introduced as guest chaplain, Senator Dick Kelsey who delivered the invocation:

Heavenly Father,

We come before you with thanksgiving for the opportunity each of has been given to serve the people of Kansas.

You have promised in James that if any man lacks wisdom, let him ask of God who will give us wisdom liberally. Lord, we need your wisdom as we take on the challenges facing our state.

Enable each of us to serve with humility and grace. Teach us to disagree agreeably and not to make issues of policy personal issues.

As stress often leads to health problems, help each of us maintain good health.

Bless the new administration and our colleagues in the House as we together seek the best solutions to the problems that confront in our State.

We give you the glory of the things you enable us to accomplish.

In Christ Name,
Amen

The Pledge of Allegiance was led by President Stephen Morris.

President Morris introduced Stephen Jones, a third year law student at Washburn University, who will again be the Senate reader.

COMMUNICATIONS FROM STATE OFFICERS

STATE OF KANSAS
SECRETARY OF STATE

To all to whom these presents shall come, Greetings:

STATE OF KANSAS
SECRETARY OF STATE

I, CHRIS BIGGS, Secretary of State, do hereby certify that the following persons were elected members of the Senate of the State of Kansas for the remainder of the unexpired four year term ending on the second Monday of January, A.D. 2013.

District 7
District 17

Terrie W. Huntington
Jeff Longbine

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 1st day of December, A.D. 2010.

CHRIS BIGGS
Secretary of State

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Raymond Merrick, Stilwell, was appointed by the Governor effective January 10, 2011, for the unexpired term, Thirty Seventh Senatorial District, to fill the vacancy created by the resignation of Jeff Coyle.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 1st day of December, A.D. 2010.

CHRIS BIGGS
Secretary of State

STATE OF KANSAS
SECRETARY OF STATE

To all to whom these presents shall come, Greetings:

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Jeff King, Independence, was appointed by the Governor effective January 10, 2011, for the unexpired term, Fifteenth Senatorial District, to fill the vacancy created by the resignation of Derek Schmidt.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 23rd day of December, A.D. 2010.

CHRIS BIGGS
Secretary of State

STATE OF KANSAS
SECRETARY OF STATE

To all to whom these presents shall come, Greetings:

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Robert Olson, Olathe, was appointed by the Governor effective January 10, 2011, for the unexpired term, Twenty Third Senatorial District, to fill the vacancy created by the resignation of Karin Brownlee.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 28th day of December, A.D., 2010.

CHRIS BIGGS

Secretary of State
SECRETARY OF STATE
STATE OF KANSAS

To all to whom these presents shall come, Greetings:

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Garrett Love, Montezuma, was appointed by the Governor effective January 5, 2011, for the unexpired term, Thirty Eighth Senatorial District, to fill the vacancy created by the resignation of Tim Huelskamp.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 5th day of January, A.D. 2011.

CHRIS BIGGS
Secretary of State

President Morris introduced the Honorable Marla Lukert on Justice of the Kansas Supreme Court who administered the Oath of Office to the newly elected and appointed senators: Jeff Longbine, Garrett Love, Ray Merrick and Robert "Rob" Olson.

OATH OF OFFICE
STATE OF KANSAS, COUNTY OF SHAWNEE, ss:

We, and each of us, do solemnly swear of affirm that we will support the

constitution of the United States and the constitution of the state of Kansas, and faithfully discharge the duties of the office of the Senator of the state of Kansas, So help us God.

Subscribed and sworn to, or affirmed, before me this 10th day of January, 2011

Marla J. Luckert
Justice of the Supreme Court

President Morris asked Senators to join him in welcoming the new Senators.

The roll was called with thirty-seven senators present as follows:
Senators King, Schmidt and Teichman were excused.

District

1 Dennis D. Pyle
2 Marci Francisco
3 Tom Holland
4 David Haley
5 Kelly Kultala
6 Chris Steineger
7 Terrie W. Huntington
8 Thomas C. (Tim) Owens
9 Julia Lynn
10 Mary Pilcher-Cook
11 John Vratil
12 Pat Apple
13 Bob Marshall
14 Dwayne Umbarger
15 Jeff King
16 Ty Masterson
17 Jeff Longbine
18 Laura Kelly
19 Anthony Hensley
20 Vicki Schmidt

District

21 Mark Taddiken
22 Roger P. Reitz
23 Robert "Rob" Olson
24 Pete Brungardt
25 Jean Kurtis Schodorf
26 Dick Kelsey
27 Leslie D. "Les" Donovan, Sr.
28 Mike Petersen
29 Oletha Faust-Goudeau
30 Susan Wagle
31 Carolyn McGinn
32 Steve E. Abrams
33 Ruth Teichman
34 Terry Bruce
35 Jay Emler
36 Janis K. Lee
37 Ray Merrick
38 Garrett Love
39 Stephen R. Morris
40 Ralph Ostmeyer

INTRODUCTION OF GUEST

President Morris introduced Dr. Jen Brull, President of the Kansas Academy of Family Physicians. Dr. Brull is the Academy's 63rd President and fourth woman president. She is a family physician at Prairie Star Family Practice in Plainville. She also serves on the national level, serving on the American Academy of Family Physicians' Commission on Membership and Member services. The Academy sponsors the doctor of the day program and provides daily assistance for health concerns here in the Capitol during the session.

CAUCUS REPORT

MAJORITY PARTY CAUCUS
December 20, 2010

The members of the majority party of the Senate have met and caucused, and:

- (a) Selected the following caucus or party officers:
 - (1) Majority Leader, Jay Emler
 - (b) Selected the following named member of the Committee on Organization, Calendar and Rules:
Position No. 6, Dick Kelsey

Derek Schmidt
Chairperson

President Morris congratulated Senator Emler on his election as Majority Leader and Senator Kelsey on his election to Position 6 on the Committee on Organization, Calendar and Rules.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

On emergency motion of Senator Emler, **SR 1801** by Morris, Emler and Hensley as follows, was introduced and adopted by voice vote:

SENATE RESOLUTION No. SR 1801—

A RESOLUTION relating to the organization of the Senate.

Be it resolved by the Senate of the State of Kansas: That the secretary of the Senate notify the House of Representatives that the Senate is organized with the following officers:

Stephen Morris, president,
John Vratil, vice president,
Jay Scott Emler, majority leader,
Anthony Hensley, minority leader,
Pat Saville, secretary,

Jody Kirkwood, sergeant at arms,
and awaits the pleasure of the House of Representatives.

On emergency motion of Senator Emler, **SR 1802** by Senators Morris, Emler and Hensley as follows was introduced and adopted by voice vote:

SENATE RESOLUTION No. SR 1802—

A RESOLUTION relating to assignment of seats of the senate.

Be it resolved by the Senate of the State of Kansas: That the permanent seats of the Senate are hereby assigned as follows: Abrams 6, Apple 29, Bruce 36, Brungardt 32, Donovan 31, Emler 2, Faust-Goudeau 21, Francisco 8, Haley 22, Hensley 39, Holland 37, Huntington 28, Kelly, 38, Kelsey 26,

King 15, Kultala 7, Lee 40, Longbine 27, Love 12, Lynn 17, Marshall 3, Masterson 35, McGinn 9, Merrick 5, Morris 1, Olson 19, Ostmeyer 13, Owens, 34, Petersen 14, Pilcher-Cooke 18, Pyle 16, Reitz 33, Schmidt 23, Schodorf 24, Steineger 20, Taddiken 4, Teichman 11, Umbarger 25, Vratil 10, and Wagle 30.

Senators Morris and Emler introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. SR 1803—

A RESOLUTION relating to rules of the Senate for 2009-2012, amending rule 7, relating to standing committees.

Be it resolved by the Senate of the State of Kansas: That rule 7 be amended to read as follows:

Rule 7. Standing Committees. There shall be a standing committee named the Committee on Organization, Calendar and Rules which shall consist of nine members, the chairperson of which shall be the president of the senate, and the vice chairperson of which shall be the majority leader of the Senate. The Vice President of the Senate shall be a member of the committee. Each of the other six members shall be selected separately by the majority political party of the Senate.

No bill or resolution other than resolutions adopting, amending or revoking rules of the Senate or Joint Rules of the Senate and House of Representatives, shall be introduced by or be referred to the Committee on Organization, Calendar and Rules.

The following shall be the other standing committees:

	Number of members
1. Agriculture.....	9 <u>11</u>
2. Assessment and Taxation.....	9 <u>11</u>
3. Commerce.....	9 <u>11</u>
4. Confirmation Oversight Committee.....	6
5. Education.....	11
6. Ethics and Elections.....	9
7. Federal and State Affairs.....	9
8. Financial Institutions and Insurance.....	9
9. Interstate Cooperation.....	7
10. Judiciary.....	11
11. Local Government.....	9
12. Natural Resources.....	9 <u>11</u>
13. Public Health and Welfare.....	9
14. Reapportionment.....	13
15. Transportation.....	9
16. Utilities.....	11
17. Ways and Means.....	13

The Committee on Organization, Calendar and Rules shall appoint the members of each committee, shall appoint the chairperson and vice chairperson or vice chairpersons thereof and shall designate the ranking minority member of each committee. The minority leader shall submit recommendations for the appointment of minority members to the standing committees of the Senate to the Committee on Organization, Calendar and Rules. The Committee on Organization, Calendar and Rules shall have a standing subcommittee on calendar which shall be the president of the senate, the vice president of the senate and the majority leader of the Senate. The Majority Leader shall be the chairperson of the subcommittee. The Committee on Organization, Calendar and Rules may establish such other subcommittees of the Committee on Organization, Calendar and Rules as the Committee deems appropriate.

For the purpose of considering committee member appointments, and appointments of chairpersons, vice-chairpersons and ranking minority members, and for such other purposes as may be authorized by law, by the joint rules of the senate and the house of representatives or by rules of the senate for closed meetings, the Committee on Organization, Calendar and Rules may close its meetings.

The two major political parties shall have proportional representation on each standing committee other than the Committee on Organization, Calendar and Rules. In the event application of the preceding sentence results in a fraction, the party having a fraction exceeding .5 shall receive representation as though such fraction were a whole number.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

SB 1, AN ACT concerning consumer transactions; relating to the Kansas retailers' sales tax act; requiring the cumulative rate to be printed on electronically printed sales receipts, by Senator Haley.

SB 2, AN ACT concerning the department of administration; relating to competitive bids; bidding procedures; requiring bidders to sign a statement certifying they will not hire former state employees except as otherwise allowed by law; amending KSA 2010 Supp. 75-3739 and repealing the existing section, by Committee on Joint Committee on Legislative Post Audit.

SB 3, AN ACT concerning water; establishing the Kansas natural resources subcabinet, by Committee on Joint Committee on Legislative Post Audit.

SB 4, AN ACT concerning the Kansas board of healing arts; relating to licensure and education of perfusionists; establishing perfusion council, by Senator Kelsey.

MESSAGE FROM THE GOVERNOR

May 25, 2010

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by

me as the Governor of the State of Kansas, pursuant to law.

Mark Parkinson
Governor

Appointments:

Brigadier General, Kansas National Guard, Colonel Bradley Link, Derby, pursuant to the authority vested in me by KSA 48-208, effective upon the date of confirmation by the Senate.

Commissioner, State Securities Commission, Marc S. Wilson (D) Overland Park, pursuant to the authority vested in me by KSA 75-6301 effective upon the date of confirmation by the Senate, to serve at the Pleasure of the Governor.

Member, Pooled Money Investment Board, Betty Ann Corbin (R) Towanda, pursuant to the authority vested in me by KSA 75-4221a effective upon the date of confirmation by the Senate, to serve a term of four years ending March 15, 2014.

Member, Kansas, Inc. Lawrence L. McCants (R) Goodland, pursuant to the authority vested in me by KSA 74-8001 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Member, Kansas, Inc. Donald P. Schnacke (R) Topeka pursuant to the authority vested in me by KSA 74-8001 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Member, Kansas Human Rights Commission. Antonio Villegas (D) Kansas City, pursuant to the authority vested in me by KSA 44-1003 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Member, Kansas Human Rights Commission, Clyde Howard (D) Manhattan, pursuant to the authority vested in me by KSA 44-1003 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 30, 2014.

Member, Kansas Board of Regents, Timothy R. Emert (R) Topeka, pursuant to the authority vested in me by KSA 74-8001 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 30, 2014.

Member, Kansas Board of Regents, Mildred Edwards (I) Topeka, pursuant to the authority vested in me by KSA 74-8001 effective upon the date of

confirmation by the Senate, to serve a term of four years ending January 30, 2014.

Member, Kansas Board of Regents, A.E. McKechnie (D) Arcadia, pursuant to the authority vested in me by KSA 74-8001 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 30, 2014.

September 15, 2010

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Mark Parkinson
Governor

Appointments:

Brigadier General Kansas Army National Guard, Lee Tafanelli, pursuant to the authority vested in me by KSA 48-208, effective upon the date of confirmation by the Senate.

Member, State Banking Board, Dale E. Koch, pursuant to the authority vested in me by KSA 74-3004 effective upon the date of confirmation by the Senate, to serve a three-year term expiring March 15, 2012.

Member, State Civil Service Board, Wilbert J. Leiker, pursuant to the authority vested in me by KSA 2929 effective upon the date of confirmation by the Senate, to serve a four-year term expiring March 15, 2013.

Member, Kansas Technology Enterprise Corporation, Kenneth Frahm, pursuant to the authority vested in me by KSA 74-8101 effective upon the date of confirmation by the Senate, to serve a four-year term expiring January 15, 2014.

Member, University of Kansas Hospital Authority, Robert Regnier, pursuant to the authority vested in me by KSA 76-3304 effective upon the date of confirmation by the Senate, to serve a four-year term expiring March 15, 2013.

Member, University of Kansas Hospital Authority, Charles Sunderland, pursuant to the authority vested in me by KSA 76-3304 effective upon the date of confirmation by the Senate, to serve a four-year term expiring March 15, 2013.

JANUARY 10, 2011

10

September 29, 2010

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Mark Parkinson
Governor

Appointments:

Brigadier General Kansas Army National Guard, Victor Braden, pursuant to the authority vested in me by KSA 48-208, effective upon the date of confirmation by the Senate.

Brigadier General Kansas Army National Guard, Eric Peck, pursuant to the authority vested in me by KSA 48-208, effective upon the date of confirmation by the Senate.

November 16, 2010

To the Senate of the State of Kansas:

Submitted herewith for confirmation by the Senate are appointments made by me as the Governor of the State of Kansas, pursuant to law.

Mark Parkinson
Governor

Member, Court of Tax Appeal, Trevor Wohlfor (R) Lawrence, pursuant to the authority vested in me by KSA 74-2433 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Chief Hearing Officer, Court of Tax Appeal, Janis Lee (D) Kensington, pursuant to the authority vested in me by KSA 74-2433 effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Member, Kansas Health Policy Authority, David Sanford (R) Wichita, pursuant to the authority vested in me by KSA 75-7401 effective upon the date of confirmation by the Senate, to serve a term of four years ending March 15, 2013.

Member, Kansas Human Right Commission, Jerome Williams (R) Wichita, pursuant to the authority vested in me by KSA 44-1003 effective upon the

date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Member, State Board of Indigent Services, James Colgan (I) Lenexa, pursuant to the authority vested in me by KSA 22-4519 et seq. Effective upon the date of confirmation by the Senate, to serve a term of three years ending January 15, 2012.

Member, State Board of Indigent Services, John Poertner (D) Lawrence, pursuant to the authority vested in me by KSA 22-4519 et seq. effective upon the date of confirmation by the Senate, to serve a term of three years ending January 15, 2014.

Member, State Board of Indigent Services, John Weber (R) Wichita, pursuant to the authority vested in me by KSA 22-4519 et seq. effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

Member, Kansas Lottery Commission, Franklin Diehl (R) Lawrence, pursuant to the authority vested in me by KSA 74-8709 effective upon the date of confirmation by the Senate, to serve a term of four years ending March 15, 2012.

Member, Kansas Technology Enterprise Corporation, Kyle Elliott (R) Shawnee, pursuant to the authority vested in me by KSA 74-8101 Supp. effective upon the date of confirmation by the Senate, to serve a term of four years ending January 15, 2013.

January 5, 2011

To the Senate of the State of Kansas:

The name of the following individual is herewith withdrawn by me as the Governor of the State of Kansas, pursuant to KSA 75-4315b.

Member, State Board of Indigent Services, John Poertner

Mark Parkinson
Governor

COMMUNICATIONS FROM STATE OFFICERS

January 10, 2011

The Honorable Stephen Morris
President, Kansas State Senate
State Capitol
Topeka, KS 66612

Dear President Morris:

As provided in K.S.A. 75-105, I have received from the Honorable Mark Parkinson, Governor of the State of Kansas, since the adjournment of the 2010 session of the legislature the following communications:

Executive Directives Nos. 10-410, 10-411, 10-412, 10-413, 10-414, 10-415, 10-416, and 10-417, all relating to Authorizing Personnel Transactions and Expenditure of Federal Funds.

Also, Executive Order No. 10-04 establishing the Commission on Graduation and Dropout Prevention and Recovery to ensure that dropping out is no longer an option and that every young Kansan will graduate prepared for life, work and/or postsecondary education/training, issued June 15, 2010.

Executive Order No. 10-05 establishing the Kansas Early Childhood Advisory Council to build on the work of the Kansas Children's Cabinet, Kansas Early Childhood Comprehensive Systems Plan and the Kansas Early Learning Coordinating Council, issued June 17, 2010.

Executive Order No. 10-06 establishing the Kansas Health Information Exchange Inc. to assist in widespread adoption and meaningful use of health information technology, ensure appropriate and secure electronic exchange and consequent use of health information to improve quality and coordination of care as a critical enabler of a high performance health care system, and to facilitate and expand the secure, electronic movement and use of health information among organizations according to nationally recognized standards, issued June 30, 2010.

Executive Order No. 10-07 continuing the moratorium on employee bonuses for fiscal year 2011 and maintain the dollar amount limit that was established in fiscal year 2006 to continue to provide for flexibility when awards are given through the State of Kansas Award and Recognition Program, issued July 1, 2010.

Executive Order No. 10-08 establishing the Kansas Broadband Advisory Task Force because of the vital importance of broadband services to economic development, Tele-Health and Tele-Medicine, E-government and education in the State of Kansas, issued July 12, 2010.

Executive Order No. 10-09 establishing the Governor's Excellence Awards, to be awarded annually, related to public health issues, issued August 27, 2010.

Executive Order No. 10-10 directing all state agency heads to increase coordination and collaboration across state agencies to provide Kansans with

disabilities optimum opportunity to be competitively employed in equal numbers to their peers without disabilities and to help Kansans with disabilities meet the human resource needs of Kansas businesses, issued August 27, 2010.

Executive Order No. 10-11 establishing the Kansas Food Security Task Force to provide advice and counsel to the Governor on issues that concern food insecurity and hunger in Kansas, issued September 1, 2010.

Executive Order No. 10-12 establishing the appropriate times for displaying the flag of the United States half-staff at state buildings, grounds, and facilities, issued September 23, 2010.

Executive Order No. 10-13 creating the Interagency Working Group for Wind Energy to promote advancement for wind energy potential and wind energy development as an important part of our state's economy, issued October 27, 2010.

These communications are on file in the office of the Secretary of the Senate and are available for review at any time by members of the legislature.

Sincerely,

Pat Saville
Secretary of the Senate

January 10, 2011

The Honorable Stephen Morris
President, Kansas State Senate
State Capitol
Topeka, KS 66612

Dear President Morris:

This letter is to advise you that the Office of the Secretary of the Senate has received the following communications during the interim since adjournment of the 2010 Regular Session of the Legislature:

City of St. Marys, Kansas submitted information the city had assembled to request that the legislature study the viability of extending the deadline required by municipalities to annually certify their ad valorem tax (K.S.A. 79-1801) during the summer of 2011.

Kansas Department of Health and Environment submitted the Treece Relocation Assistance Project Monthly Expenditures/Income Report for the October 2010 reporting period in accordance with K.S.A. 49-512(h).

University of Kansas Hospital submitted the 2010 Annual Report.

The Governor's Task Force on Racial Profiling submitted recommendations and a final report for the 2011 legislative session.

The Kansas Public Employees Retirement System submitted the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2010.

Kansas Department of Corrections submitted the Statewide Risk Reduction Initiative Annual Report.
State Treasurer submitted a copy of the State Treasurer's FY2010 annual report.

Kansas Pooled Money Investment Board submitted a copy of the Annual Report of the Pooled Money Investment Board for Fiscal Year 2010.

State of Alabama, Office of Secretary of the Senate McDowell Lee, submitted Senate Joint Resolution 27 adopted by the Legislature of Alabama claiming sovereignty under the tenth amendment to the Constitution of the United States over certain powers, serving notice to the federal government to cease and desist certain mandates, and providing that certain federal legislation be prohibited or repealed.

Sincerely,

Pat Saville
Secretary of the Senate

REPORTS OF STANDING COMMITTEE

Committee on **Confirmation Oversight** begs leave to submit the following report:

The following appointments were referred to and considered by the committee and your committee recommends that the Senate approve and consent to such appointments:

By the Governor:

State Board of Regents: Article 6 Section 2 of the Kansas Constitution and KSA 74-3202a

Mildred Edwards, term expires June 30, 2014

Timothy R. Emert, term expires June 30, 2014

A. E. McKechnie, term expires June 30, 2014

Pooled Money Investment Board: KSA 2010 Supp. 75-4221a
Betty Ann Corbin, term expires March 15, 2014

Kansas National Guard: KSA 48-205 and KSA 2010 Supp. 48-208:
Colonel Victor Braden, Brigadier General, serves at the pleasure of the Governor
Colonel Bradley Link, Brigadier General, serves at the pleasure of the Governor
Colonel Eric Peck, Brigadier General, serves at the pleasure of the Governor
Colonel Lee Tafanelli, Brigadier General, serves at the pleasure of the Governor

Kansas Technology Enterprise Corporation: KSA 2010 Supp. 74-8101
Kenneth Frahm, term expires January 15, 2014

State Banking Board: KSA 74-3004
Dale Koch, term expires March 15, 2010

State Civil Service Board: KSA 75-2929a
Wilbert J. Leiker, term expires March 15, 2013

University of Kansas Hospital Authority: KSA 2010 Supp. 76-3304
Robert Regnier, term expires March 15, 2013
Charles Sunderland, term expires March 15, 2013

Securities Commissioner: KSA 2010 Supp. 75-6301
Marc S. Wilson, serves at the pleasure of the Governor

Kansas Human Rights Commission: KSA 44-1003
Clyde Howard, term expires January 15, 2013
Antonio Villegas, term expires January 15, 2013

Kansas, Inc.: KSA 2010 Supp. 74-8001
Lawrence L. McCants, term expires January 15, 2013
Donald P. Schnacke, term expires January 15, 2014
By the Minority Leader of the Senate:

Kansas Health Policy Authority: KSA 2010 Supp. 75-7401
Raymond Davis, term expires March 15, 2011

POINT OF PERSONAL PRIVILEGE

Senator Hensley rose on a Point of Personal Privilege with the following remarks concerning the tragedy in Arizona.

Mr. President:

Thank you for giving me the opportunity to make a few comments about

the tragic events of this past weekend in Tucson, Arizona.

As we all know, on Saturday, Arizona Congresswoman Gabrielle Giffords was holding a “Congress on Your Corner” meeting with her constituents when she was shot in the head from behind. With miraculous medical treatment, it appears she will likely survive.

When he heard about this tragedy, the new Speaker of the House John Boehner of Ohio made this statement, “An attack on one who serves is an attack on all who serve. Acts and threats of violence against public officials have no place in our society. Our prayers are with Congresswoman Giffords, her staff, all who were injured, and their families. This is a sad day for our country.”

Today, I want to give a Kansas Senate tribute to the six people who were killed:

Gabe Zimmerman, 30 years old, a staff member of Congresswoman Giffords since her election in 2006, who dealt with constituent issues. He was engaged to be married.

Christina Taylor Green, 9, the granddaughter of former New York Yankees and Mets manager Dallas Green. She was born on Sept. 11, 2001, and was recently elected to her school student council. She was brought to the meeting by a neighbor to meet her Congresswoman.

John Roll, 63, Arizona’s chief federal trial judge was appointed to the bench by the first President Bush in 1991. Roll had gone to the event to discuss with a Giffords staffer how to clear a backlog of cases.

And, today, the United States Supreme Court, and its Chief Justice John Roberts paid their own tribute to Judge Roll.

Phyllis Schneck, 79, a snowbird from Rutherford, New Jersey, who spent eight months each year in Arizona since 2000. She was a retired librarian and homemaker who loved to knit and often made Jets and Giants aprons to sell at church fundraisers.

Dorwin Stoddard, 76, a deeply devoted Christian, he was a long-time minister at the Mountain Avenue Church of Christ. He was killed shielding his wife from gunfire. She was hit in the legs and is expected to survive.

Dorothy Morris, also 76, a retiree from Reno, Nevada, who attended the event with her husband George, a retired United Airlines pilot. He was also shot and remains in critical condition. The parents of two daughters were high school sweethearts and had been married for more than 50 years.

I know I speak for the entire Kansas Senate that our prayers are with their families, and the families of those who were injured and remain hospitalized.

It has been said the Gabby Giffords was doing what she loved most – hearing from her constituents – when this tragedy occurred. It has also been said that serving Southern Arizonans is her passion, and nothing makes her more proud than representing them in Congress.

Finally, Mr. President, we do not know what may have motivated the shooter to carry out this unthinkable act of violence. No doubt that will be sorted out by the news media in the coming days and weeks.

But, I do believe that the political discourse in this country has been extremely contentious and, at times, has gotten angrier and angrier and

moved away from being the civil discourse it needs to be.

It is never productive or wise to use political rhetoric that will incite people into hateful or dangerous actions.

We may have opponents in politics. But, we should never look at another American, or another Kansan, as our enemy.

I know that there is a longstanding tradition in the Kansas Senate to commit ourselves to doing our job, and debating the great issues of the day with honor and civility. I am very confident that tradition will continue.

All thirty-six senators present for the session supported these remarks.

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the House of Representatives:

Be it resolved by the House of Representatives of the State of Kansas:

That the chief clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Michael O'Neal, speaker
 Jene Vickrey, speaker pro tem,
 Arlen Siegfried, majority leader,
 Paul Davis, minority leader
 Susan Kannarr, chief clerk
 Wayne Owens, sergeant at arms,
 and await the pleasure of the Senate.

Announcing the adoption of **HCR 5001**, a concurrent resolution relating to a committee to inform the Governor that the two houses of the legislature are duly organized and ready to receive communications, and the appointment of Representatives Mast, Shultz and Trimmer as members of the committee to wait upon the Governor.

Announcing adoption of **HCR 5002**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor, and the appointment of:

Mast, Shultz and Grant to escort the Governor
 Bethell, Gordon and Mah to escort the Lt. Governor
 Patton, Rhoades and Kuether to escort the Supreme Court
 Huebert, Brunk and Kuether to escort the Senators

Announcing the adoption of **HCR 5003**, a concurrent resolution relating to the Joint Rules of the Senate and the House of Representatives.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HCR 5001, relating to a committee to inform the governor that the two

houses of the legislature are duly organized and ready to receive communications, was introduced and read by title.

On emergency motion of Senator Emler, **HCR 5001** was adopted by voice vote.

HCR 5002, providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor, was introduced and read by title.

On emergency motion of Senator Emler, **HCR 5002** was adopted by voice vote.

HCR 5003 was introduced and read by title.

On motion of Senator Emler, the Senate adjourned until 2:30 p.m., Tuesday, January 11, 2011.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

