

Journal of the Senate

TWENTY-THIRD DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, February 9, 2012, 2:30 p.m.

The Senate was called to order by President Stephen Morris.

The roll was called with forty senators present.

President Morris introduced as guest chaplain, Pastor Herman Hicks, Greater Pentecostal COGIC; President, Greater Wichita Ministerial League, Wichita, Kansas.

Eternal God,

We evoke your presence on this Kansas Senate Meeting. This Senate has some difficult decisions to make. They will make decisions today and in the next few months that will guide this State not only for now, but for years to come. Making decisions will not be easy. The economy is bad. Funds are low. Our State is losing jobs every day. People are hurting. So as this Senate make decisions that will affect your people, give them wisdom and boldness to do what is right.

Even when their decisions are not popular, guide them, protect them and may they trust you and allow you to direct their path, so their decisions will glorify you. Give them an ear to hear the people of this great State. But most of all give them an ear to hear from you. Bless them as they bless the people of the great State of Kansas.

In your Holy Name, Amen

The Pledge of Allegiance was led by President Stephen Morris.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 412, AN ACT concerning water; relating to appropriation of water for sand and gravel projects; amending K.S.A. 2011 Supp. 82a-734 and repealing the existing section, by Committee on Agriculture.

SB 413, AN ACT concerning employment; creating the professional employer organization registration act, by Committee on Commerce.

SB 414, AN ACT concerning agriculture; relating to animal health; amending K.S.A. 47-120, 47-121, 47-122, 47-237, 47-238, 47-419, 47-422, 47-424, 47-656, 47-1001, 47-1002, 47-1005, 47-1010, 47-1102, 47-1213, 47-1217, 47-1219, 47-1301, 47-1305, 47-1306, 47-1509, 47-1701, 47-1710, 47-1711, 47-1712, 47-1723, 47-1725, 47-1727, 47-1801, 47-1804, 47-1807 and 47-2306 and K.S.A. 2011 Supp. 47-1008, 47-1302, 47-1706, 47-1707, 47-1708, 47-1709, 47-1809 and 47-1826 and repealing the existing

sections; also repealing K.S.A. 47-619, 47-621, 47-636, 47-637, 47-638, 47-639, 47-641, 47-642, 47-643, 47-644, 47-647, 47-648, 47-649, 47-650, 47-651, 47-652, 47-653, 47-653d, 47-653e, 47-653f, 47-653g, 47-653h, 47-666, 47-667, 47-668, 47-669, 47-670, 47-671, 47-921, 47-922, 47-923 and 47-1005b and K.S.A. 2011 Supp. 47-672 and 47-1307, by Committee on Agriculture.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and senate concurrent resolution were referred to Committees as indicated:

Assessment and Taxation: **SB 402, SB 409, SB 411; SCR 1612.**
 Commerce: **SB 408.**
 Education: **SB 401, SB 410.**
 Federal and State Affairs: **SB 399, SB 400; HB 2298.**
 Judiciary: **SB 403, SB 404.**
 Natural Resources: **SB 405, SB 406.**
 Public Health and Welfare: **SB 407.**
 Ways and Means: **HB 2460, HB 2461.**

COMMUNICATIONS FROM STATE OFFICERS

REGIONAL ECONOMIC AREA PARTNERSHIP

January 9, 2012

In compliance with Kansas law, the Kansas Affordable Airfares Program Fiscal Year 2012 Financial Status Report was submitted by the Regional Economic Area Partnership.

The President announced the above report is on file in the office of the Secretary of the Senate and is available for review at any time.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2420, HB 2458, HB 2459, HB 2606.**

The House accedes to the request of the Senate for a conference on **House Substitute for SB 191** and has appointed Representatives Schwartz, Schroeder and Carlin as conferees on the part of the House.

INTRODUCTION OF HOUSE BILL AND CONCURRENT RESOLUTIONS

HB 2420, HB 2458, HB 2459, HB 2606 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Emler, Hensley, Abrams, Apple, Bruce, Brungardt, Donovan, Faust-Goudeau, Francisco, Haley, Holland, Huntington, Kelly, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Olson, Ostmeier, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1813—

A RESOLUTION congratulating and commending Alan D. Conroy for his service to the Kansas Legislature and the State of Kansas and for his appointment as Executive Director of the Kansas Public Employees Retirement System.

WHEREAS, Alan D. Conroy has served the Kansas Legislature for nearly 29 years as Legislative Fiscal Analyst, Chief Fiscal Analyst and Director of Legislative Research from July 25, 1983, through February 10, 2012, after serving as a Governor's Budget Analyst in the Division of the Budget from 1979 to 1983; and

WHEREAS, Alan D. Conroy, as Director, has provided the leadership, guidance and motivation to continue and improve the outstanding nonpartisan professional analysis and service provided by all members of the Kansas Legislative Research Department; and

WHEREAS, Alan D. Conroy has responded to countless inquiries from Kansas Legislators of both parties with a friendly willingness and has employed his ability to gather and analyze information and to provide objective, nonpolitical responses; and

WHEREAS, Alan D. Conroy has shown himself to be highly motivated and has applied his skills, knowledge and understanding of state budgets, finance and government policy to anticipate issues and to inform and assist members of the Kansas Legislature in their formulation of public policy; and

WHEREAS, Alan D. Conroy is known and highly respected by members of the Kansas Legislature as a consummate professional whose diligence, insight and knowledge has been relied upon by the members of the Kansas Legislature with absolute confidence; and

WHEREAS, Alan D. Conroy has served with distinction and honor as an integral member and leader of the State General Fund Consensus Revenue Estimating Group; and

WHEREAS, Alan D. Conroy has been selected for a new and challenging professional position to serve as Executive Director of the Kansas Public Employees Retirement System (KPERs) for which he is uniquely talented and experienced, including having provided fiscal and policy analysis regarding pensions, investments and benefits for several legislative study committees, including studies of KPERs in particular; and

WHEREAS, Alan D. Conroy served as a member *ex officio* of the KPERs Study Commission during 2011; and

WHEREAS, Alan D. Conroy was awarded a Bachelor of Science in Political Science with an emphasis in Public Administration from the University of South Dakota in 1977, and was awarded a Master of Arts with an emphasis in Public Administration from Wichita State University in 1979, after a year's full-time internship as a Kansas Governor's Fellow serving as a management intern with various Governor's cabinet members; and

WHEREAS, Alan D. Conroy was born in Kearney, Nebraska, and is married to Julie Conroy and they have a son, Joseph, and three daughters, Anna Keller, who is married to Joel Keller, and Jessie Conroy and Nicole Conroy: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Alan D. Conroy on more than 33 years of public service to the Kansas Legislative Research Department, the Kansas Legislature and to the State of Kansas and

for the legacy of professional excellence and nonpartisan public service that he leaves after his many years as Legislative Fiscal Analyst, Chief Fiscal Analyst and Director of Legislative Research; and

Be it further resolved: That we congratulate and commend Alan D. Conroy upon his appointment as Executive Director of the Kansas Public Employees Retirement System and look forward to the good work he will do for the KPERS Board of Trustees, the active and retired members and beneficiaries of KPERS and the people of Kansas, and look forward to our continued interaction with him in his new role; and

Be it further resolved: That the Secretary of the Senate provide enrolled copies of this resolution to: Alan D. Conroy and the members of his family, at 3651 SE Shoreline Drive, Topeka, KS 66605.

On emergency motion of Senator Hensley **SR 1813** was adopted unanimously.

Senator Hensley congratulated and commended Alan D. Conroy for his service to the Kansas Legislature and for his appointment as Executive Director of the Kansas Public Employees Retirement System. Other Senators joined Senator Hensley in paying tribute to Alan Conroy. His wife Mary, and the following family and friends were in attendance: Nicole Conroy, Jessie Conroy, Joseph Conroy, Johanna Barnes, Anna Keller, Joel Keller, Emma Keller, Riley Keller, Rowen Keller, Russ Conroy, Cyndy Novacek, Jon Novacek, Stephanie Novacek, Morgan Novacek, Connor Novacek, Raegan Novacek, Elizabeth Novacek, Jennifer Head, Torrey Head, Father Jon Huling and Lois Mason. The Senate acknowledged Alan Conroy with a standing ovation.

REPORT ON ENGROSSED BILLS

SB 260, SB 263 reported correctly engrossed February 8, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 369, SB 386** be passed.

Committee on **Federal and State Affairs** recommends **SB 277** be amended on page 1, in line 8, by striking "during"; in line 9, by striking "the license" and inserting "per"; in line 15, after "premises" by inserting "and at special events, monitored and regulated by the division of alcoholic beverage control,"; On page 4, in line 10, by striking "distillery" and inserting "facility which produces spirits from any source or substance that is"; in line 33, after "microbrewery" by inserting ", microdistillery"; and the bill be passed as amended.

Also, **SB 358** be amended on page 1, in line 16, by striking all after the period; by striking all in line 17; and the bill be passed as amended.

On motion of Senator Emler, the Senate adjourned until 8:00 a.m., Friday, February 10, 2012.

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

PAT SAVILLE, *Secretary of the Senate.*

