

Journal of the Senate

FIFTY-SIXTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, April 26, 2012, 10:00 a.m.

The Senate was called to order by Vice President John Vratil.

The roll was called with thirty-eight senators present.

Senators Steineger and Wagle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

During the last days of any session, we always seem to find ourselves in a no-win situation.

If we don't get a certain major bill passed before we adjourn, they say we never get anything done.

If we do get it passed, they say we rushed it through just so we can say we did something.

If we vote against a bill most of our party voted for, we are not loyal to our party.

If we vote along with the majority of our party, we don't have a mind of our own.

If we always vote what the majority of our constituents want, we don't qualify as statesman (or stateswoman.)

If we vote against what the majority wants, we are not representing our people.

If we show anger over an issue, it's a sign of our immaturity. If we never get angry, we have no backbone.

If we go home regularly and shake a lot of hands, we are just politicking.

If we don't go home and shake a lot of hands, we are losing touch with the grass roots.

We know it won't change, Lord. Just give us grace to accept it.

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Reapportionment: **SB 470, SB 471.**

Ways and Means: **SB 469.**

REFERENCE OF APPOINTMENTS

The following appointments made by the Governor and Attorney General submitted

to the Senate for confirmation, were referred to Committees as indicated:

By the Governor:

State Board of Indigents Defense Services, Member: Andrew Wimmer, to serve a three year term to expire January 15, 2014.

(Ways and Means)

Kansas Bioscience Authority, Member: Dale Rodman, to serve a four year term to expire March 15, 2016.

(Ways and Means)

Pooled Money Investment Board, Member: Robert Chestnut, to serve a four year term to expire March 15, 2016.

(Ways and Means)

Kansas Bioscience Authority, Member: Leon Harold Borck, to serve a four year term to expire March 15, 2016.

(Ways and Means)

Department of Transportation, Secretary: Michael Steven King, to serve at the pleasure of the Governor.

(Transportation)

By the Attorney General:

Kansas Crime Victims Compensation Board, Member: Suzanne Valdez, to serve a four year term to expire March 15, 2016.

(Ways and Means)

MESSAGE FROM THE GOVERNOR

April 23, 2012

Message to the Senate of the State of Kansas:

Enclosed herewith is Executive Order No. 12-05 for your information.

Sam Brownback,
Governor

The President announced Executive Order No. 12-05, concerning Regional/ Emergencies and conditional and Temporary Relief from Motor Carrier Rules and Regulations is on file in the office of the Secretary of the Senate and is available at any time.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senators Morris, Vratil, Emler, Hensley, V. Schmidt, Schodorf, Kelly, Holland and Francisco introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1862—

A RESOLUTION offering official congratulations, gratitude and recognition to Pat Saville, Secretary of the Kansas Senate, on her impending retirement from service to the members of the Kansas Senate and the people of Kansas.

WHEREAS, Pat Saville was appointed Secretary of the Senate in December 1990 and upon her retirement in 2012, is the longest serving Secretary of the Senate in the history of the state. Pat has served in this critical and indispensable role for nearly 22 years under Senate Presidents Bud Burke, Dick Bond, Dave Kerr and Stephen R. Morris; and

WHEREAS, Pat began her lengthy state employment in 1964, spending seven years with the Veterans Commission before taking a position as a secretary to House members from 1975 through 1978. She then served as Secretary and Administrative Assistant to House Majority Leader Bob Frey from 1979 to 1982; Secretary to House Majority Leader Joe Knopp from 1987 to 1988; and Administrative Assistant/Executive Secretary to Senate President Bud Burke from 1989 to 1990; and

WHEREAS, Pat is a native Kansan, born September 10, 1943 at Marysville, Kansas, where she grew up with her two sisters and five brothers. She married Gary Saville in 1964, and kept the homefires burning bright while Gary served his country in Vietnam. They raised two daughters who, like their mother, are bright, successful, strong women: Kelley, married to husband Rick Smith, of Manhattan, Kansas; and Nicole, married to husband Joel Oliver, of Topeka. Pat and Gary have happily embraced their role as grandparents to granddaughters Carly and Kendall Smith, and Morgan and Ainslee Oliver, and to grandson Jonah Oliver. They eagerly look forward to the arrival of another grandchild this summer; and

WHEREAS, Pat attended Emporia State University and Washburn University and is a proud graduate of the Legislative Staff Management Institute at the University of Minnesota in 1998; and

WHEREAS, Throughout her career, Pat dedicated herself to her position, becoming actively engaged in national legislative staff organizations. She took on many responsibilities and leadership roles, including being a member of the NCSL Executive Committee for three years and ultimately, serving as President of the American Society of Legislative Clerks and Secretaries from 2000 to 2001. In 2007, Pat was honored for her leadership, receiving the prestigious NCSL and ASLCS Legislative Staff Achievement Award; and

WHEREAS, Pat established a lofty standard of excellence in the Senate Secretary's office, providing accurate, reliable and timely information to her senators and to members of the public. She has assembled a dedicated staff tirelessly devoted to that high standard. Pat's work ethic, grounded in her strong rural Kansas roots, serves as a shining example to all who work with her and all who come into contact with her; and

WHEREAS, Pat has seen the Kansas Senate through the sometimes turbulent transition to ever more sophisticated technology throughout her years of service. In those efforts, Pat's one driving force was to do what was right for the Senate, to keep true to the mission of this vaunted institution. Her mission has always been first and foremost about serving well – not only the elected men and women who occupy the Kansas Senate chamber today, but to honor those who served in the past and to establish a firm foundation for those to come: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we take this opportunity, in

the presence of the members of the Kansas Senate, of Pat's family, friends, colleagues and coworkers, to say thank you to Pat Saville, Secretary of the Senate. Thank you for your extraordinary service, your sense of fairness, your unflinching attention to detail, and your unflinching adherence to what is right. We are grateful for all you have done for us, for the Senate and for the State of Kansas. You have been a stalwart of this chamber and an outstanding representative of the state in your service at the national level. You are a tremendous asset to the Kansas Senate. You are a great person, a great Kansan and a great friend. All of us gathered here today thank you and wish you and your family the very best in all the years to come; and

Be it further resolved: That the Deputy Secretary of the Senate shall send five enrolled copies of this resolution to Senator Morris.

On emergency motion of Senator Morris **SR 1862** was adopted unanimously.

Senator Morris congratulated Pat Saville, Secretary of the Senate, upon her impending retirement of the Kansas Senate. Senator Morris introduced Pat Saville's family in attendance:

Pat's husband Gary.

Her daughter Kelley Smith and her husband Rick and granddaughters Carly and Kendall from Manhattan.

Her daughter Nicole Oliver and her husband Joel and grandchildren Morgan, Ainslee and Jonah from Topeka.

Her sister Betty Yonkey and her husband Art from Hickman, Nebraska.

Her brother Don Kramer and his wife Dorothy from Marysville.

Her sister-in-law and brother-in-law Mary and Error Saville from Topeka.

Her sister-in-law and brother-in-law Gail and Dennis Lange from Marysville.

Also in attendance were Sheila Frahm, Betty Quarnstrom, Gayle Shaw and Jude Simnitt.

Pat was presented with a statue of Ad Astra Per Aspera and a framed copy of the resolution. The Senate warmly acknowledged Pat's service and achievement with a standing ovation. A reception honoring Pat followed in front of the Senate chamber.

REPORT ON ENROLLED BILLS

SR 1857, SR 1858, SR 1859, SR 1860, SR 1861 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on April 26, 2012.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **HB 2777** be passed.

On motion of Senator Emler, the Senate recessed until 2:30 p.m.

The Senate met pursuant to recess with President Morris in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title:

SB 472, AN ACT concerning the Kansas expanded lottery act; relating to racetrack

gaming facilities; creating the Kansas agricultural opportunity act; amending K.S.A. 74-8826 and 74-8836 and K.S.A. 2011 Supp. 74-8734, 74-8741, 74-8744, 74-8745, 74-8746, 74-8747, 74-8751 and 74-8831 and repealing the existing sections; also repealing K.S.A. 74-8824, by Committee on Federal and State Affairs.

MESSAGE FROM THE HOUSE

The House nonconcur in Senate amendments to **Senate Substitute for HB 2077**, requests a conference and has appointed Representatives **Suellentrop**, **Kleeb** and **Slattery** as conferees on the part of the House.

REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** begs leave to submit the following report:

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

By the Speaker of the House of Representatives:

Board member, Kansas bioscience authority: K.S.A. 74-99b04

Earl McVicker, to fill a term expiring on March 15, 2015

On motion of Senator Emler, the Senate adjourned until 10:00 a.m., Friday, April 27, 2012.

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

PAT SAVILLE, *Secretary of the Senate.*

