

# Journal of the Senate

TWENTY-NINTH DAY

---

SENATE CHAMBER, TOPEKA, KANSAS  
Friday, February 22, 2002—12:00 Noon

The Senate was called to order by Vice-President Sandy Praeger.  
The roll was called with thirty-three senators present.  
Senators Allen, Barnett, Brungardt, Corbin, Harrington, Kerr and O'Connor were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

There are some time-honored proverbs and maxims which have been helpful in making decisions. But some of them are not always appropriate to our situation.

For instance:

There are some sleeping dogs which really should be awakened;

There are some squeaking wheels which don't deserve any grease;

There are some boats which not only need to be rocked, but need to be sunk.

There are some pots if not watched will boil over and boil dry.

Please give us the wisdom, O God, to decide

Which dogs to wake up;

Which squeaks to ignore;

Which boats to sink;

Which pots to keep watching.

I aks this in Jesus' Name,

AMEN

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bill was introduced and read by title

**SB 632**, An act concerning the Kansas lottery; authorizing the operation of video lottery games; amending K.S.A. 2001 Supp. 74-8702 and 74-8710 and repealing the existing sections, by Committee on Federal and State Affairs.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Natural Resources: **HB 2704**.

Financial Institutions & Insurance: **HB 2639**, **HB 2677**.

Judiciary: **SB 631**; **HB 2623**.

Public Health and Welfare: **SB 630**; **HB 2733**.

Transportation: **HB 2658**, **HB 2662**.

## CHANGE OF REFERENCE

The Vice-President withdrew **SB 389**, **SB 525** from the Committee on Ways and Means, and rereferred the bills to the Committee on Financial Institutions and Insurance.

The Vice-President withdrew **SB 599** from the Committee on Ways and Means, and rereferred the bill to the Committee on Judiciary.

**MESSAGE FROM THE HOUSE**

Announcing passage of **HB 2247, HB 2619, HB 2670, HB 2693, HB 2698, HB 2699, HB 2727, HB 2741, HB 2747, HB 2768, HB 2794.**

**INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS**

**HB 2247, HB 2619, HB 2670, HB 2693, HB 2698, HB 2699, HB 2727, HB 2741, HB 2747, HB 2768, HB 2794** were thereupon introduced and read by title.

**INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senators Oleen and Taddiken introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1819—

A RESOLUTION congratulating and commending Linda S. Puntney.

WHEREAS, Linda S. Puntney, Assistant Professor of Journalism at Kansas State University and Assistant Director of Student Publications Inc., has been inducted into the national College Media Advisers Hall of Fame; and

WHEREAS, There have been only 17 advisers inducted into the hall of fame since the inception of this award in 1994. Persons being considered for this award must have contributed to collegiate journalism education for 20 or more years while an active member of College Media Advisers. The award honors those long-time members of College Media Advisers whose dedication, commitment and sacrifices have contributed to the betterment and value of student media programs both on their campus and nationally. It also recognizes the contributions of College Media Advisers members who have actively contributed to the organization through extensive and varied service on committees, the board of directors and other leadership roles and have presented programs and sessions at meetings which have been insightful, well-prepared and relevant; and

WHEREAS, Mrs. Puntney serves also as the national executive director of the Journalism Education Association; and

WHEREAS, Mrs. Puntney has been honored also as the 1989 Distinguished Magazine Adviser and the 1991 Distinguished Yearbook Adviser by College Media Advisers. In addition, she received the National Scholastic Press Association Pioneer Award in 1992 and the Carl Towley Award in 1998; and

WHEREAS, There are two prestigious yearbook awards given annually by grading services. One the "Pacemaker" awarded by Associated Collegiate Press and the other the "Gold Crown" awarded by Columbia Scholastic Press Association. In each year since Mrs. Puntney began advising the Royal Purple yearbook (1990) the Royal Purple has won both awards. No other college in the United States can make that claim -- the Royal Purple is the number one yearbook in the country; and

WHEREAS, Mrs. Puntney and her husband, Martin, have a son, Todd, and a daughter, Amanda: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend Linda S. Puntney upon being inducted into the national College Media Advisers Hall of Fame and for the superior service she has provided for Kansas State University; and

*Be it further resolved:* That the Secretary of the Senate be directed to provide an enrolled copy of this resolution to Dr. Jon Wefald, President, Kansas State University, 110 Anderson Hall, Manhattan, Kansas 66506 for presentation to Mrs. Puntney.

On emergency motion of Senator Oleen **SR 1819** was adopted unanimously.

Senator Oleen introduced Professor Puntney, extending congratulations on her national recognition and her many contributions to Kansas State University. Family and friends accompanying her were husband, Martin Puntney; Bob Gadd, Will Weprich, Julie Bogart, Barry MacCallum, John McNown, Paul Havnen, Overland Park; Ron Johnson, Todd Simon, Allison Vrtiska, Earl Lenhert, Francis Lenhert, Laura Widmer, Gray Brent, Steve Lenhert, Betty Lenhert, Manhattan.

Senator Jenkins introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1820—

A RESOLUTION in memory of Roger Hume Franzke.

WHEREAS, Roger Hume Franzke was born on June 4, 1927, to Edward W. and Lenora Hume Franzke in Wellington, Kansas. Roger had two brothers, Charles and John; and

WHEREAS, Roger moved to Topeka, Kansas as a young child where he attended Potwin Elementary School and Roosevelt Junior High School and graduated from Topeka High School in 1945 and Washburn University in 1950; and

WHEREAS, Roger was a devoted family man. Roger married Madelyn Fleek on December 18, 1948. Together they shared 52 years of marriage; four children—Suzanne, Mark, Sally and David; and nine grandchildren—Tyler, Michael, Timothy, Christopher, Mark, Megan, Sarah, David and Sidney; and

WHEREAS, Roger, a vice-president at First National Bank was eulogized by his son-in-law, Jimmy, as a man with overflowing accounts—Roger's Family Account, Friendship Account, Community Service Account and Spiritual Account; and

WHEREAS, Roger also was eulogized by his son-in-law, John, as a passionate and committed man, who approached life with a sense of humor that was unique to Roger; and

WHEREAS, Roger's strong commitment to his community was shown not merely by being a member of the many community organizations to which he belonged, but also by serving as a leader of those organizations: Roger was a fifty-year member of Lowman United Methodist Church; a member of the board of directors of the United Methodist Home; a member of the board of trustees of the Washburn Endowment Association; a member of the Mulvane Art Center board; a past president and chairman of the board of the YMCA; a past president and chairman of the board of the Topeka Cosmopolitan Club; a past president of Downtown Topeka, Inc.; and a past president of Kansas Native Sons and Daughters. Roger also served on the board of directors of the Shawnee Country Club, the Topeka Community Foundation, the Topeka Festival Singers and the Topeka Civic Theatre. Roger also served as a volunteer for the United Way fund drive; and

WHEREAS, Roger was a talented artist and took up painting as a hobby. In 1991, he received the People's Choice Award from the Artist's Association for one of his watercolors. In 2001, the United Way of Greater Topeka posthumously honored Roger by selecting him as its Key Club artist; presenting members of the Key Club with a limited edition print of a watercolor landscape painted by Roger in 1994. When Roger painted his grandchildren, he captured their personalities in what he called "Portraits with Attitude"; and

WHEREAS, Roger had a long and varied career-life. He served in the United States Navy during World War II. He was an art director for the Harvey Advertising Agency before he became a partner in the Emerson Franzke Advertising Agency. In 1965, he received the Silver Medal Award as Topeka Advertising Man of the Year. He later joined First National Bank and served as a senior vice president; and

WHEREAS, After retiring from First National Bank, Roger joined Kansas Governmental Consulting as a legislative consultant to the Kansas Legislature; and

WHEREAS, Roger was an avid golfer whose love of the game was shared with his grandchildren; and

WHEREAS, Friendship was an important aspect of Roger's life; Roger cherished and was cherished by his friends; and

WHEREAS, Roger could be described as a kind gentleman, but truly, he was a kind and gentle man; and

WHEREAS, Roger died June 20, 2001, and will be missed deeply at home, on the golf course, in the community and in the halls of the Statehouse by his friends, and especially, by his family; Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we extend our deepest sympathy to the family of Roger Hume Franzke; and

*Be it further resolved:* That the Secretary of the Senate be directed to provide six enrolled copies of this resolution to Mrs. Roger Franzke at 5631 S.W. Hawick Lane, Topeka, KS, 66614.

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

Senator Jenkins introduced Mr. Franzke's wife, Madelyn Franzke; children, Suzanne and John MacDonald, Sally and Jimmy Dodd, Shawnee; Mark and Mary Franzke, Prairie Village; and grandchildren, Mark, Megan and Sarah Dodd and Michael Jones.

#### REPORTS OF STANDING COMMITTEES

Committee on **Agriculture** recommends **SB 556** be amended by substituting a new bill to be designated as "Substitute for SENATE BILL No. 556," as follows:

"Substitute for SENATE BILL No. 556

By Committee on Agriculture

"AN ACT concerning sericea lespedeza; relating to control and eradication; research and demonstration efforts.";

and the substitute bill be passed.

Committee on **Commerce** recommends **SB 605** be amended on page 2, in line 7, by striking "economic development" and inserting "new economy"; and the bill be passed as amended.

Committee on **Education** recommends **SB 526** be passed.

Also, **SB 551** be amended on page 1, in line 26, by striking all following "effectuated"; by striking all in line 27 and inserting ". For the next succeeding three school years, the state financial aid shall be the greater of: (1) The amount received in the preceding school year; or (2) the amount the district would receive under the school district finance and quality performance act prior to amendment by this section."; in line 29, by striking "K.S.A. 72-7301" and inserting "article 73 of chapter 72 of the Kansas Statutes Annotated"; in line 31, by striking "one" and inserting "a single"; in line 34, by striking all following "any"; in line 35, by striking all before the second comma and inserting "school district to which this subsection applies"; in line 43, by striking all following "effectuated" and inserting ". For the next succeeding three school years, the state financial aid shall be the greater of: (1) The amount received in the preceding school year; or (2) the amount the district would receive under the school district finance and quality performance act prior to amendment by this section."; following line 43, by inserting:

"The provisions of this subsection shall apply to any school district to which all of the territory of a disorganized district has been attached pursuant to an order issued by the state board of education during school year 2001-2002, or any time thereafter, under article 73 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto."; and the bill be passed as amended.

Committee on **Utilities** recommends **SCR 1617** be adopted

Committee on **Ways and Means** recommends **SB 618** be amended on page 2, in line 6, by striking all after "for"; in line 7, by striking all before the period and inserting "a new state security hospital on the Larned state hospital grounds";

Also on page 2, in line 20, by striking "the purposes set forth in subsection (a)" and inserting "a new state security hospital on the Larned state hospital grounds"; and the bill be passed as amended.

#### REPORT ON ENROLLED BILLS

**SR 1817, SR 1818, SR 1819** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on February 22, 2002.

On motion of Senator Oleen the Senate adjourned until 2:30 p.m., Monday, February 25, 2002.

HELEN A. MORELAND, *Journal Clerk.*

PAT SAVILLE, *Secretary of Senate.*

