

Journal of the Senate

TWENTIETH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 8, 2010—2:30 p.m.

The Senate was called to order by President Stephen Morris.
The roll was called with thirty-eight senators present.
Senators Faust-Goudeau and Ostmeyer were excused.
Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,
Sometimes we are reminded
When tempers start to flare
About a rule we have which says,
“Please address the chair.”
When colleagues irritate us
And we almost start to swear,
It makes it much less personal
When we address the chair.
One lesson we could learn from this
When we are on a tear
Is to stop and take some time
To address the Heavenly Chair.
If speaking to our chairperson
Seems to cool the air,
It would accomplish even more
To address the Heavenly Chair.
So the next time we get angry
Instead of acting like a bear,
Help us take a moment, Lord,
To address the Heavenly Chair.
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 bill and resolution were referred to Committees as indicated:

Judiciary: **SB 537**.
Ways and Means: **SCR 1627**.

CHANGE OF REFERENCE

The President withdrew **SB 518** from the Committee on **Transportation**, and referred the bill to the Committee on **Assessment and Taxation**.

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2418, HB 2501**.

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2418, HB 2501 were thereupon introduced and read by title.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1815—

A RESOLUTION congratulating Avery Clifton for being an outstanding Kansas high school athlete and student.

WHEREAS, Washburn Rural High School senior Avery Clifton was named the Gatorade Cross Country Runner of the Year for Kansas for the second year in a row; and

WHEREAS, Gatorade State Players of the Year are selected based upon outstanding athletic excellence accompanied by high standards of academic achievement and exemplary personal character demonstrated on and off the field; and

WHEREAS, Avery Clifton was the May 2009 6A State Track and Field Champion, winning the 1600 and 3200 meter runs; and

WHEREAS, Avery Clifton was the 6A State Cross Country champion for 2009; and

WHEREAS, Avery Clifton took 8th place in the 2009 Footlocker Midwest Regional Cross Country meet; and

WHEREAS, Avery Clifton took 24th place in the 2009 Footlocker National Cross Country Championship meet; and

WHEREAS, Avery Clifton is a member of the 2009 Washburn Rural High School team which became the Topeka City Champions, Centennial League Champions, Regional Champions and took 5th place at the 6A State Cross Country meet; and

WHEREAS, Avery Clifton managed to maintain a 4.25 grade point average while performing at an exceptionally high level in sports; and

WHEREAS, Avery Clifton's ability to maintain exceptional grades while excelling at a difficult and competitive sport makes her accomplishments truly extraordinary: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Avery Clifton for being the Gatorade Cross Country Runner of the Year for Kansas for the second year in a row and for her outstanding athletic and scholastic achievements; and

Be it further resolved: That the Secretary of the Senate be directed to provide three enrolled copies of this resolution to Senator Vicki Schmidt.

On emergency motion of Senator V. Schmidt **SR 1815** was adopted unanimously.

Senator V. Schmidt introduced Avery Clifton for being named the Gatorade Cross Country Runner of the Year for Kansas for the second year in a row from Washburn Rural High School. Also representing Washburn Rural High School were the following: Brenda Dietrich, Superintendent; Ed Raines, Principal and Penny Lane, Athletic Director.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1816—

A RESOLUTION congratulating the Washburn Rural High School volleyball team for winning the 2009 Class 6A State Volleyball Championship.

WHEREAS, The Washburn Rural High School volleyball team won the 2009 Class 6A State Volleyball Championship; and

WHEREAS, The Washburn Rural Lady Blues won the title by defeating Blue Valley West for the fourth consecutive year in the championship game by scores of 17—25, 25—18 and 25—18; and

WHEREAS, The Lady Blues finished the 2009-10 season with a record of 41—4 en route to winning the 6A State Championship, as well as the Derby Tournament, Emporia Tournament and the Class 6A Sub-State Tournament; and

WHEREAS, The Washburn Rural High School volleyball team made its 13th consecutive appearance at the KSHSAA State Tournament and its 11th consecutive Final Four appearance at the State Tournament; and

WHEREAS, The team members are seniors Alexa Bordewick, Kelsey Lewis; juniors Kylie Pease, Emily Conklin, Liz Mariner; sophomores Peyton Evans, Dani Musselman, Whitney Gifford, Sarah Williams; freshmen Alyssa Carney, Erika Lane, and Sarah Vicory; and

WHEREAS, The Lady Blues' dedication to teamwork resulted in success for many of the members. These honors include Alexa Bordewick being selected to the First Team 6A All-State Tournament Team, First Team 6A All-State, First Team All-Centennial League and First Team All-City; Kelsey Lewis being selected to the First Team 6A All-State Tournament Team, First Team 6A All-State, First Team All-Centennial League, First Team All-City, Topeka City and Centennial League Most Valuable Player; and Sarah Vicory being selected to the First Team 6A All-State Tournament Team, Second Team 6A All-State, First Team All-Centennial League and First Team All-City; Dani Musselman being named 6A All-State Honorable Mention, First Team All-City and All-League; Emily Conklin being named Second Team All-City and Second Team All-League; and Alyssa Carney being named Second Team All-City and Second Team All-League; and Erika Lane being named Second Team All-City and Second Team All-League; and Kylie Pease being selected as All-City Honorable Mention and All-League Honorable Mention; and

WHEREAS, Seniors Kelsey Lewis and Alexa Bordewick have become the first four-time state champions in a team sport in Topeka history; and

WHEREAS, The Lady Blues are led by coach Kevin Bordewick and assistant coach Nikki Noe, whose dedication and leadership have guided the Blues to their fourth straight 6A State Championship and their fifth title in the last six years: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Washburn Rural High School volleyball team for its successful season and for winning the 2009 Class 6A State Volleyball Championship; and

Be it further resolved: That the Secretary of the Senate provide 20 enrolled copies of this resolution to Senator Vicki Schmidt.

On emergency motion of Senator V. Schmidt **SR 1816** was adopted unanimously.

Senator V. Schmidt introduced and congratulated the Washburn Rural High School volleyball team for winning the 2009 Class 6A state volleyball championship. The following were the Washburn Rural High School volleyball team: Alexa Bodewick, Kelsey Lewis, Kylie Pease, Emily Conklin, Liz Mariner, Peyton Evans, Dani Musselman, Whitney Gifford, Sarah Williams, Alyssa Carney, Erika Lane and Sarah Vicory. Also in attendance were Coach Kevin Bordewick and Coach Scott Shufelberger.

Senator V. Schmidt introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1817—

A RESOLUTION congratulating the Washburn Rural High School boys' soccer team for winning the 2009 Class 6A State Soccer Championship.

WHEREAS, The Washburn Rural High School boys' soccer team won the Class 6A State Soccer Championship; and

WHEREAS, The Washburn Rural Junior Blues won the title by defeating Lawrence Free State in the championship game by a score of 3—0; and

WHEREAS, The Junior Blues finished the 2009-10 season with a record of 20—1 en route to winning the 6A State Championship, as well as the KA-MO Tournament, Centennial League Championship, and the Class 6A Regional Tournament, and finished ranked 11th in the national rankings in the NSCAA/Adidas soccer poll; and

WHEREAS, The team members are seniors Haden Beardmore, Levi Brunton, Brahms Cohen, Grant Copeland, Nick Golden, Justin Ives, Austin Jackson, Eric Semjenow, Jeffery Veatch; juniors Keenan Ankerholz, Daniel De Zamacona, Collin Erbert, Harrison Petrik, Ethan Speake, Ben Sullivan, Keven Thomas; sophomores Nick Gideon, Craig Harding, Allan McFarland, Addison Schile, Anthony Schmiedeler, Joey Welch; and

WHEREAS, The Junior Blues' dedication to teamwork resulted in success for many of the members. These honors include Nick Golden being selected to the First Team 6A All-

State Team, First Team All-Region, First Team All-Centennial League, and First Team All-City, NSCAA All-Region VII, NSCAA Honorable Mention All-American; Justin Ives being selected to the First Team 6A All-State, First Team All-Region, First Team All-Centennial League and First Team All-City; and Austin Jackson selected to the First Team 6A All-State Team, First Team All-Region, First Team All-Centennial League and First Team All-City; Grant Copeland selected to First Team All-City, First Team All-League and First Team All-Region; Ethan Speake selected to First Team All-City, First Team All-League and First Team All-Region; and Levi Brunton selected to First Team All-City; and

WHEREAS, The Junior Blues are led by coach Brian Hensyel and assistant coaches Brian Bell, David Chooncharoen and Andy Vogel, whose dedication and leadership have guided the Junior Blues to the school's second 6A State Soccer Title: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate the Washburn Rural High School boys' soccer team for winning their impressive 2009-10 season and for winning the 2009 Class 6A State Soccer Championship; and

Be it further resolved: That the Secretary of the Senate provide 27 enrolled copies of this resolution to Senator Vicki Schmidt.

On emergency motion of Senator V. Schmidt **SR 1817** was adopted unanimously.

Senator V. Schmidt introduced and congratulated the Washburn Rural High School boy's soccer team for winning the 2009 Class 6A state soccer championship. The following is the Washburn Rural High School soccer team: Haden Beardmore, Levi Brunton, Brahm Cohen, Grant Copeland, Nick Golden, Justin Ives, Austin Jackson, Eric Semjenow, Jeffrey Veatch, Keenan Ankerholz, Daniel DeZamacona, Collin Erbert, Harrison Petrik, Ethan Speake, Ben Sullivan, Keven Thomas, Nick Gideon, Craig Harding, Allan McFarland, Addison Schile, Anthony Schmiedeler and Joey Welch. Also in attendance were coach Brian Hensyel and assistant coaches: Brian Bell, David Chooncharoen and Andy Vogel.

Senators Hensley and Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Holland, Huelskamp, Huntington, Kelly, Kelsey, Kultala, Lee, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, D. Schmidt, V. Schmidt, Schodorf, Steineger, Taddiken, Teichman, Umbarger, Vratil and Wagle introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1818—

A RESOLUTION honoring the Boy Scouts of America's contributions to society and vision for the future and congratulating the Boy Scouts of America on its 100th Anniversary.

WHEREAS, The Boy Scouts of America was established in 1910 to teach patriotism, courage, self-reliance and kindred values; and

WHEREAS, The Boy Scouts of America today is the largest youth service organization in America, with nearly 3 million members learning responsible citizenship, character development, and self-reliance through participation in a wide range of outdoor activities, educational programs and career-oriented programs in partnership with community organizations; and

WHEREAS, The Boy Scouts of America will celebrate its 100th Anniversary on February 8, 2010; and

WHEREAS, A core value of the Boy Scouts of America is service to others; and

WHEREAS, The Boy Scouts of America is celebrating Scouting's 100th Anniversary with the theme "Celebrating the Adventure, Continuing the Journey"; and

WHEREAS, Membership in the Boy Scouts of America has been shown to improve a Scout's likelihood for success as an adult and enhance the quality of life in the community where he resides: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we do hereby recognize the impact of this great organization and the importance of its 100 years of service to the citizens of this community and communities across America by proclaiming February 8, 2010 as Boy Scouts of America 100 Years of Scouting Day; and

Be it further resolved: That the Secretary of the Senate be directed to provide an enrolled copy of this resolution to Jeffrey R. Moe, Scout Executive, Jayhawk Area Council, 1020 S.E.

Monroe St., Topeka, KS 66612; Timothy C. Bugg, Scout Executive, Heart of America Council, 10210 Holmes Rd., Kansas City, MO 64131; Mike Johnson, Scout Executive, Quivira Council, 1555 E. 2nd St., Wichita, KS 67214; Stacy Huff, Scout Executive, Coronado Area Council, 644 S. Ohio, PO Box 912, Salina, KS 67402; John Hogg, Scout Executive, Santa Fe Trail Council, 1513 E. Fulton Ter., Garden City, KS 67846; Alan Franks, Scout Executive, Pony Express Council, 1704 Buckingham St., St. Joseph, MO 64506; Dean Ertel, Scout Executive, Ozark Trails Council, 1616 S. Eastgate, Springfield, MO 65809.

On emergency motion of Senator Hensley **SR 1818** was adopted unanimously.

Senator Hensley introduced Samuel Mazas, Cub Scout, Chandler R. Emslie, Boy Scout, and Jacob Bures, Eagle Scout and congratulated the Boy Scouts of America on its 100th Anniversary and contributions to Society. Also introduced representing the Boy Scouts of America were: Jeffrey R. Moe, Scout Executive, David A. Nolle, Assistant Scout Executive, Jill Garrard, Scout Executive and John Emslie, Scout Leader.

REMARKS

MR. PRESIDENT: These precepts have served as a personal guide to this “Star” Boy Scout throughout my life.

“On my honor, I will do my best
To do my duty
To God and my country
And to obey the scout law:
To help other people at all times
To keep myself physically strong
Mentally awake
And morally straight.”

“A scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent.”

One hundred years! May God continue to bless the Boy Scouts of America.—DAVID HALEY

REPORTS OF STANDING COMMITTEES

Committee on **Local Government** recommends **SB 463** be passed and, because the committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar.

Committee on **Ways and Means** recommends **SB 479** be amended on page 3, in line 38, by striking “individuals” and inserting “persons”; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Tuesday, February 9, 2010.

HELEN MORELAND, ROSE MARIE GLATT, SHIRLEY LAMOTT, *Journal Clerks*.
PAT SAVILLE, *Secretary of the Senate*.

