

# Journal of the Senate

SIXTY-FIRST DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Friday, May 6, 2011, 10:00 a.m.

The Senate was called to order by President Stephen Morris.

The roll was called with twenty-nine senators present.

Senators Abrams, Brungardt, Donovan, Kelsey, Lynn, Masterson, Ostmeyer, Owen, Schodorf, Steineger and Taddiken were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

As we try to bring this session to a successful close, fatigue starts playing a major part.

The President's tired of presiding,  
And the Houses of legislating.  
The Doormen are tired of watching the doors,  
And the Aides are tired of aiding.

The Chairmen are tired of chairing,  
And the Clerks are tired of clerking.  
The Leaders are tired of leading,  
And everyone's tired of working.

The Speaker's tired of speaking,  
And the Reader's tired of reading.  
The Secretaries are tired of being tired,  
And the Committees are tired of meeting.

The Researchers are tired of researching  
And the Lobbyists of counting votes.  
The Revisors are tired of revising,  
And the Reporters of taking notes.

Lord, could it be the Chaplains who are  
Responsible for keeping us staying?  
Could it be we could all go home,  
If the Chaplains grew tired of praying?  
(Probably not)

I pray in the Name of Jesus Christ, AMEN

The Pledge of Allegiance was led by President Stephen Morris.

### **PRESENTATION OF PETITIONS**

The following petition was presented, read and filed:

**SP 1**, by Senator Terrie Huntington at the request of her constituents: The Supreme Court ruling in January of 2010 on Citizens United v. the Federal Elections Commission, a 5-4 decision that overturned prior campaign law, has extended First Amendment Rights to corporations. We, the undersigned, feel this decision corrupts our democratic process, and we ask the Kansas State Legislature to support an amendment to the U.S. Constitution that reverses the ruling and returns elections to the will of the voting public, signed by 55 constituents from Senate District #7.

### **MESSAGE FROM THE HOUSE**

The House adopts the Conference Committee report on **H Sub for SB 37**.

The House adopts the Conference Committee report on **SB 193**.

The House accedes to the request of the Senate for a conference on **SB 21** and appoints Representatives Gordon, Aurand and Winn as conferees on the part of the House.

The House accedes to the request of the Senate for a conference on **House Substitute for Substitute SB 111** and appoints Representatives Rhoades, Kelley and Feuerborn as conferees on the part of the House.

### **INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS**

Senators Apple and Marshall introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1859—

A RESOLUTION congratulating and commending Rita Nienstedt on her retirement.

WHEREAS, Rita Nienstedt is retiring on May 31, 2011 from her position as a family and consumer science teacher at Fort Scott High School. She dedicated 33 years of her life to teaching Kansas students; and

WHEREAS, Ms. Nienstedt graduated from Emporia State University in 1978 with a bachelor of science in education. She earned a masters degree from Fort Hays State University in 1987; and

WHEREAS, Ms. Nienstedt began her teaching career in 1978 as a home economics teacher at Maize Jr.-Sr. High School. She then taught at Stockton High School and Concordia Jr.-Sr. High School before moving to Fort Scott High School, where she has been teaching for the past 18 years; and

WHEREAS, While at Fort Scott High School, Ms. Nienstedt served as FCCLA sponsor, oversaw a student-planned, school-wide assembly on domestic violence and coordinated a grant sponsored by TASK for anti-smoking activities in the Fort Scott middle and high schools; and

WHEREAS, Ms. Nienstedt has also been actively involved in her community through the Buck Run Community Center, Trinity Lutheran Church, Crisis Resource Center, The Beacon, Mother-to-Mother Ministries, Ronald McDonald House, Relay for Life, Habitat for Humanity and Big Brothers/Big Sisters; and

WHEREAS, Ms. Nienstedt and her husband, Richard, have been married since 1977 and have three children, Marshall, Kim and Robyn and three grandchildren, Jack, Grant and Lucas: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend Rita Nienstedt for her many years of teaching and extend our best wishes for her continued success and happiness; and

*Be it further resolved:* That the Secretary of the Senate shall send two enrolled copies of this resolution to Senator Marshall.

On emergency motion of Senator Marshall **SR 1859** was adopted unanimously.

Senator Marshall introduced and congratulated Rita Nienstedt upon her retirement as a consumer science teacher at Fort Scott High School after 33 years of dedicated service. Her husband, Richard, was also introduced. The Senate acknowledged Rita with a standing ovation.

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

SENATE RESOLUTION No. 1860—

A RESOLUTION celebrating the 25th anniversary of the Shepherd's Center.

WHEREAS, The Senate of the State of Kansas commemorates the 25th anniversary of the Shepherd's Center, and thanks the more than 225 volunteers at the Shepherd's Center for their enthusiasm, dedication and effort; and

WHEREAS, The Shepherd's Center of Kansas City, Kansas is an interfaith, multicultural, nonprofit organization that promotes and supports successful aging. The center's vision is to build a community that connects, values, engages and celebrates older adults; and

WHEREAS, Four central city pastors, of different denominations, spearheaded the shepherd's center initiative in the spring of 1985. The pastors were aware of the changing nature of their neighborhood. They also knew their congregations and community included a large population of older adults; and

WHEREAS, A task force composed of area clergy, older adults and agency representatives brought the Shepherd's Center into being in 1986. A considerable number of meetings and careful planning by the task force resulted in the establishment of a Board of Directors in June, 1986; and

WHEREAS, The Shepherd's Center has 15 programs and services for over 1200 older adults in Wyandotte County, Kansas. Some of the programs and services provided by TSC include Adventures in Learning, Creative Classes, Friends for Seniors, Minor Home Repair and Referral and Vials of Life. These programs are large in scope and offer services that range from serving the homebound to organized learning: Now, Therefore,

*Be it resolved by the Senate of the State of Kansas:* That we recognize 25 remarkable years of service in Wyandotte County, KS, and we applaud the Shepherd's Center's success; and

*Be it further resolved:* That the Secretary of the Senate shall send an enrolled copy of this resolution to Shepherd's Center of Kansas City, 757 Armstrong Ave., Kansas City, Kansas 66101.

On emergency motion of Senator Haley **SR 1860** was adopted unanimously.

**REPORT ON ENROLLED BILLS**

**H Sub for SB 23, H Sub for SB 36; SB 67, SB 123, SB 136, SB 170, SB 213; H Sub for SB 214** reported correctly enrolled, properly signed and presented to the Governor on May 6, 2011.

**SR 1856, SR 1857, SR 1858** reported correctly enrolled, properly signed and presented to the Secretary of the Senate on May 6, 2011.

On motion of Senator Emler the Senate recessed until the sound of the gavel.

AFTERNOON SESSION

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 248**, AN ACT concerning compensation and expenses of legislators for a period of time during the 2011 regular session of the legislature, by Committee on Ways and Means.

**REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS**

The following bill was referred to Committee as indicated:

Ways and Means: **SB 248**.

**MESSAGE FROM THE HOUSE**

The House adopts the Conference Committee report on **HB 2010**.

On motion of Senator Emler, the Senate adjourned until 2:00 p.m, Monday, May 9, 2011.

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

