

just arrived. We will now proceed. A roll call vote has been requested by Senator Rod Johnson. Please keep your conversations down so the Clerk may hear the responses. Mr. Clerk, call the roll.

CLERK: (Roll call vote taken. See pages 1747-48 of the Legislative Journal.) 21 ayes, 22 nays, Mr. President.

SPEAKER BAACK: The amendment to the amendment fails. We are now on the Beutler amendment. Senator Ashford, did you wish to address the Beutler amendment? The call is raised. Senator Beutler, did you wish to speak to your amendment again?

SENATOR BEUTLER: Mr. President, Mr. Speaker, members of the Legislature, maybe it would be good just to remind you, I think everyone is clear as to where we are right now but, basically, we are back on the main amendment, and if the main amendment is adopted, the bill will become a provision which says to the State of Kansas and to all other states in the compact that we are not proceeding with licensing of this matter until and unless all of you have agreed with the shared liability provisions. I think that's a very progressive step. I know it doesn't give Senator Dierks what he wants with regard to community consent, and I was one of those that was bothered by Senator Ashford's speech. I think that we do have some obligations to people, some obligations in...some obligations in terms of doing what we say we will do, but there are some very serious questions involved here about who has the right to say how this government will act. And only this legislative body, you and I know, in a technical sense, can do that. It is a shame that others sought to do that when they had no power to do that. But those people to whom that promise were made were not the only citizens to whom we have an obligation and with whom we would have a credibility problem if we didn't act in the opposite and reject the community consent provisions. And by that I mean there was a vote in 1988, and the people, all the people of this state voted to stay in the compact. Now you and I can all disagree as to what that vote may have meant, but I think that in a very real, although a somewhat general sense, they were saying to us the proposition taken as a whole makes sense to us, and we want to proceed with it. That being the case, then I think we have an obligation to those people, to all the people of the state who voted to proceed with the matter unless something has appeared of record or on the horizon which would indicate to us that the people would take a different