

# Journal of the Senate

THIRTY FIFTH DAY

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SENATE CHAMBER, TOPEKA, KANSAS  
Tuesday, February 28, 2006—2:30 p.m.

The Senate was called to order by President Stephen Morris.  
The roll was called with thirty-three senators present.  
Senators Barnett, Donovan, Gilstrap, Goodwin, Haley, Huelskamp and Pyle were excused.

Invocation by Chaplain Fred S. Hollomon:

Heavenly Father,

I believe that if critics really understood all the variables, challenges, and dilemmas that legislators have to deal with, they might be more understanding. Such as...

The effect of a majority of voters in their district  
The requirements of the Kansas Constitution  
The platform of their party  
Their commitment to their own convictions  
The knowledge that one or more of their bills or amendments have no chance of passing  
The Governor's veto  
The Supreme Court decisions  
The convincing arguments on both sides by conferees and lobbyists  
Sometimes having to choose the lesser of two "evils"  
The opinions of their family and friends  
The criticisms by constituents and editorials  
The demands of a job back home  
The needs of the family back home  
Whether to change their vote or not  
The experience of seeing bills they sponsored go down the tubes  
The question that reoccurs from time to time, "What am I doing here?"  
When to compromise and when to refuse to compromise  
And, of course, having to deal with an election year.  
Most depressing of all...realizing that these are not all the challenges they have to face.

Is it any wonder that many of us increasingly appreciate Winston Churchill's pungent observation: "Democracy is the worst form of government, except for all the rest."

Realizing all this, O God, I pray that You would grant all legislators a healthy portion of Your wisdom.

I pray in the Name of Jesus Christ,

AMEN

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and resolution were referred to Committees as indicated:

Commerce: **HB 2658, HB 2671, HB 2772, HB 2928.**  
 Education: **SR 1818.**  
 Federal and State Affairs: **SB 578; HB 2788.**  
 Financial Institutions & Insurance: **HB 2159, HB 2659, HB 2771, HB 2858.**  
 Judiciary: **HB 2576, HB 2701; Sub HB 2706; HB 2748, HB 2761, HB 2893, HB 2916, HB 2938.**  
 Natural Resources: **HB 2867, HB 2875.**  
 Public Health and Welfare: **Sub HB 2825; HB 2830, HB 2831.**  
 Transportation: **HB 2645, HB 2878.**

#### CHANGE OF REFERENCE

The President withdrew **SB 319, SB 331, SB 398, SB 423** from the Committee on Ways and Means, and returned the bills to the calendar under the heading of General Orders.

The President withdrew **SB 501** from the Committee on Ways and Means, and rereferred the bill to the Committee on Education.

The President withdrew **SB 578** from the Committee on Federal and State Affairs, and referred the bill to the Committee on Ways and Means.

#### CHANGE OF CONFERENCE

The President announced the appointment of Senators Vratil, Bruce and Goodwin as members of the Conference Committee on **HB 2122** to replace Senators Donovan, Wilson and Gilstrap.

#### INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

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

##### SENATE RESOLUTION No. 1819

A RESOLUTION regarding motion pictures.

WHEREAS, Motion pictures increasingly depict shocking, violent and graphic images; and

WHEREAS, Movie theater operators are accountable for the health and safety of their patrons while viewing movies; and

WHEREAS, It is the responsibility of movie theater operators to inform patrons of the possible emotional and physical stress which they may incur when viewing shocking, violent and graphic material; and

WHEREAS, Movie theater operators choosing to offer movies containing shocking, violent and graphic images could be held liable for the impact these images may have on patrons viewing them on their premises; and

WHEREAS, In at least one incident, a patron suffered a heart attack when viewing the shocking, violent and graphic images in *The Passion of the Christ* and later died; and

WHEREAS, Kansas movie theater operators should post a notice in close proximity to the ticket purchasing window stating which movies being shown contain shocking, violent and graphic images: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That Kansas movie theater operators in Kansas should recognize the physical and emotional impacts on patrons viewing shocking, graphic and violent material; and

*Be it further resolved:* That Kansas movie theater operators should meet voluntarily to develop the wording of a notice to advise patrons of movies which contain shocking, violent and graphic images.

#### REPORTS OF STANDING COMMITTEES

Committee on **Ways and Means** recommends **SB 480** be amended on page 2, in line 16, following "Richard" by inserting "A.";

On page 3, in line 17, preceding "Box" by inserting "I,;" in line 25, following "Dexter" by inserting "F.";

On page 5, in line 31, following "Carl" by inserting "E. Jr";

On page 7, in line 32, by striking "PO Box 586" and inserting "3024 Road 64";

On page 8, by striking all in lines 37 and 38 and inserting:  
“Staab Cattle Co.  
2428 Toulon Ave.”;

On page 9, by striking all in line 29 and inserting “PO Box 435”;

On page 11, in line 16, following “Johnson” by inserting “#77547”; by striking all in line 17 and inserting “Norton Correctional Facility — East Unit”; in line 22, preceding “fund” by inserting “account of the state general”; in line 27, by striking “66612” and inserting “66451”; in line 30, preceding “fund” by inserting “account of the state general”;

On page 12, in line 6, preceding “fund” by inserting “account of the state general”; by striking all in line 9; in line 10, by striking “Winfield, KS 67156” and inserting:  
“1621 South 1st  
Arkansas City, KS 67005”;

On page 13, in line 6, preceding “fund” by inserting “account of the state general”; in line 14, preceding “fund” by inserting “account of the state general”; in line 22, preceding “fund” by inserting “account of the state general”; in line 31, preceding “fund” by inserting “account of the state general”;

On page 14, in line 43, following “fund” by inserting “— assistance”;

On page 15, in line 10, following “fund” by inserting “— assistance”; in line 23, by striking “381SPED” and inserting “38/SPED”; in line 24, by striking “66101” and inserting “66102”; in line 29, following “fund” by inserting “— assistance”; in line 38, following “fund” by inserting “— assistance”;

On page 16, in line 3, following “KS” by inserting “66062”; preceding line 18, by inserting the following:

“Sec. 8. The department of administration is hereby authorized and directed to pay the following amount from the canceled warrants payment fund as reimbursement for an expired warrant, to the following claimant:

Clinton Vawter  
305 N. Kansas  
Carbondale, KS 66414..... \$1,700.92”;

And by renumbering the remaining sections accordingly; and the bill be passed as amended.

On motion of Senator D. Schmidt the Senate adjourned until 2:30 p.m., Wednesday, March 1, 2006.

HELEN MORELAND, CAROL PARRETT, BRENDA KLING, *Journal Clerks.*

PAT SAVILLE, *Secretary of the Senate.*

