

HOUSE SELECT INVESTIGATIVE COMMITTEE

Members

Representative Erin Davis, Chair

Representative Barbara Ballard

Representative Mark Kahrs

Representative Tom Sawyer

Representative Sharon Schwartz

Representative Brandon Whipple

Staff

Gordon Self, Director, Revisor of Statutes

Norm Furse, Office of the Revisor of Statutes

Raney Gilliland, Director, Kansas Legislative Research Department

Karen A. Clowers, Legislative Administrative Services

Donola Fairbanks, Committee Secretary

Approved: June 26, 2015
Date

MINUTES OF THE HOUSE SELECT INVESTIGATING COMMITTEE

The meeting was called to order by Chairman Erin Davis at 2:10 p.m. on April 1, 2015, in Room 142-S of the Capitol.

All members were present.

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Gordon Self, Revisor of Statutes
Raney Gilliland, Kansas Legislative Research Department
Donola Fairbanks, Committee Assistant

Others attending:

See attached list.

Chairman Davis opened the meeting stating the formation of the committee was assigned pursuant to House Rule 4902 in response to a complaint received by Speaker Merrick from the House Clerk. Copies of the complaint (Attachment 1) and the *2015-16 Rules of the Kansas House of Representatives* had been provided to each member.

Chairman Davis then reviewed the process the committee would follow as dictated by Article 49, 2015-16 House Rules, and Article 10, Chapter 46 of the Kansas Statutes Annotated.

Rep. Whipple asked if the copy of the complaint was the complete testimony and if the complaint against Rep. Winn cited a violation of a specific House rule. Chairman Davis said the complaint distributed was all that was received and any questions regarding the specifics of complaint would be addressed at the next meeting during the inquiry process.

Rep. Ballard inquired if the Committee could have the audio recording of the meeting in question provided to the committee. Rep. Davis indicated the request would be made.

The next meeting is scheduled for April 30, 2015.

The meeting was adjourned at 2:35p.m.

Guest List

Select Investigating Committee

Date: 4-1-15

Name	Representing
Stephen Lunde	KPR
JOHN Alcalá	# 57 TH
Frederick Henderson	#35 TH
HAROLD LANE	# 58
Keith Persley	
Valdenia Wint	# 34
Gail Finny	#84
ROBERT HOUSTON	# 89
Michelle Cuenas, Stibbefeld	Citizen, KSCWAC
Jonathan Shorman	Topeka Capital-Journal
John Wilson	#10
A. LUSK	# 2
Ann Kuthur	#55
Kathy Wake Moore	# 36
Sake McMillan	
Nancy Lusk	# 22
Pam Curtis	#32
Jess Banner	Myself
Lynn Hellebrat	.
Roddie Wepshen	Ad Astra Cons.

Guest List

Select Investigating Committee

Date: 4/1/15

Name	Representing
Norman Scott	self
DON JORDAN	SELF
Sydney Carlin	district 46
Tony Bassed	JISS. 41 / ED. CMTE -
Ray Beckman sa	115 th
Willie Dowl	38th DIST
Mary Akerstrom	Kansas NOW
Dan Brennan	self
Juvrod Ousley	24 th District
Karen Miller	self
Chad Manspeake	self
Blake Carpet	87 th Dist.
Don Mann	self
Kyler Jost	self
Kristley Williams	# 77 th
Ken STRAYER	self
Ann Mah	self
Will Lawrence	self
Abbie Ferguson	self

STATE OF KANSAS
HOUSE OF REPRESENTATIVES



RAY MERRICK
SPEAKER

MEMO

TO: House Chief Clerk

DATE: March 30, 2015

RE: Membership for Select Investigating Committee

On Monday, March 23rd, Chief Clerk Susan Kannarr delivered a complaint in accordance with Article 49 of the House Rules. The complaint in question was signed by nine members of the House Education Committee. It names Rep. Valendia Winn (D-Kansas City) as the respondent. Having reviewed the Clerk's communication and attached statement of the complaint, it conforms to the requirements of House Rule 4901, and I hereby appoint, pursuant to House Rule 4902, the following House members to serve on the select investigating committee:

Rep. Erin Davis (Chair)
Rep. Mark Kahrs
Rep. Sharon Schwartz
Rep. Tom Sawyer
Rep. Barbara Ballard
Rep. Brandon Whipple

A copy of the signed complaint will be given to Chairwoman Davis, who will then proceed under the House Rule to convene the Committee and initiate its inquiry. Pursuant to House Rule 4902(b), the select committee shall constitute an investigating committee and shall have the powers thereof under Article 10 of chapter 46 of the Kansas Statutes Annotated. Rules & Journal Committee staff are assigned to assist.

House Speaker Ray Merrick

cc: House Minority Leader Tom Burroughs
House Majority Leader Jene Vickrey
Legislative Research Department
Revisor's Office

House Select Investigative Committee

TOPEKA ADDRESS

STATE CAPITOL BLDG., SUITE 370-W
TOPEKA, KS 66612
785-296-2302
e-mail: ray.merrick@house.ks.gov

27TH DISTRICT

website: raymerrick.org

4-1-2015

Attachment

1-186

STATE OF KANSAS

SUSAN W. KANNARR, J.D.
CHIEF CLERK
E-Mail: susan.kannarr@house.ks.gov

STATEHOUSE
300 S.W. 10TH STREET
STE 272-W
TOPEKA, KANSAS 66612-1504
(785) 296-7633



TOPEKA

HOUSE OF
REPRESENTATIVES

March 23, 2015

Speaker Ray Merrick
Statehouse, Room 370-W
Topeka, Kansas 66612

Dear Speaker Merrick:

In accordance with Article 49 of the House Rules, I am forwarding a statement of complaint from Representative Ron Highland and others against Representative Valdenia Winn. Accompanying the complaint is a copy of the applicable House Rules and Statutes.

If I may be of further assistance to you in this matter please contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, reading "Susan W. Kannarr". The signature is written in black ink and is positioned above the typed name.

Susan W. Kannarr, J.D.
Chief Clerk of the House

Enclosures (3)

State of Kansas
House of Representatives

Received 3/23/15

27487 Wells Creek Rd.
Wamego, KS 66547-1867
(785) 456-9799

State Capitol
Topeka, Kansas 66612
(785) 296-7310
ron.highland@house.ks.gov



Ron Highland, DVM, PhD
Representative, 5th District

Committee Assignments
Chair: Education
Appropriations
Taxation

March 20, 2015

Chief Clerk
House of Representatives

Please see attached complaint per House Rule 4901.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Highland".

Representative Ron Highland
House Education Committee Chairman

March 20, 2015

Chief Clerk
House of Representatives

An incident occurred in the House Education Committee on March 19, 2015. It was moved and seconded that HB 2139 be passed. The chairman, Ron Highland, recognized Representative Winn for discussion of the bill.

Representative Winn proceeded to use inflammatory language and inferences toward the committee or anyone who would support such a bill. After objection was raised, the representative stated her remarks were not personal in nature but also said if the "Shoe Fits." She continued with additional language that was offensive and reprehensible. The transcript of her comments is attached.

We the undersigned hereby desire to lodge a formal complaint.

Ronald L. Highland 51st

Seefeld #41

Chuck W. Mamm #39

Winn #38

Jerry Ann #28

John Bradford #40

Man Shouder #72

John E. Barber #70

John #99

**Transcript from House Education Committee meeting
Room 112-N on March 19, 2015**

**Discussion on HB2139 – Postsecondary education; tuition and fees for
aliens. (Section of Committee Assistant recording beginning at 55:55)**

The Chairman opened the meeting to discussion on HB2139.

Representative Barker moved the bill be passed out favorably for action.
Representative Bradford seconded the motion.

The Chairman opened the motion for discussion and acknowledged
Representative Winn.

Representative Winn: Thank you, Mr. Chair. I have dreaded this day because this is a racist, sexist, fear-mongering bill that I would like first to apologize to the progressively-minded people of Kansas who are appalled that we are turning back the hands of time...um...regarding to, and I am going to use strong language, Jim Crow tactics, and once again making Kansas a laughingstock. I want to apologize to the students and their parents whose lives are being hijacked by the racist bigots who support this bill because this bill is not an act of

Representative Barker: Mr. Chairman, I object. She just referred to this committee as racist....

Representative Winn: I said supporters. I am not saying anything, but you know what, you can do anything you want, but I am going to say what I have to say because if...

Representative Barker: I object

Representative Winn:the shoe fits, if the shoe fits, it fits. But this is an example of institutional racism, not individual racist, institutional racism

because it deals with societal structural changes. Okay? It stifles growth. It stifles prosperity. It's targeted to an individual identified group of students, and I'll call it as I see it. You can deny it, but it's clear. It does not promote Kansas growth. It does not cost the, the, the state...these, these billions of dollars, I mean, if the students are not paying tuition then the dollars are not there. It is unfair to, to all students, but these students have, have done what the law asked them to do. Um...so there'll be, there'll be all kinds of...um... explanations for why it is the right thing to do, and I am telling you it is not. ...um...And that the structural application, the fact that it has worked for 10 years, the fact that it brings new tuition dollars, the 2.4 million, if the students aren't there, you're going to lose that money, but if you're going to lose it, you lose it. The most important thing is that you are stealing the lives and the futures of these students. You're going to...those will distort the truth because the courts have already upheld this. You may distort the truth by saying it is unfair to other students who they can come in for a year's residence and you're asking these students to have three years residency. The colleges and universities are not saying that there are seats being taken. They are actually supportive because they want a...a...a educated workforce. But...but...this bill is, is bad. It's racist. It's sexist. It promotes institutional racism. You don't know if one of these students could be the next person to cure, to find a cure for cancer. But you're going to stifle education in a time when we know education is so important to our state. So, I will....um...huh...not give you a lot more reasons, but I will proudly ...uh...vote against this bill and I will still apologize to the students whose lives are being hijacked after 10 years and to the progressively-minded people of Kansas who had to tolerate such bigotry. I do thank you, Mr. Chair.

MINUTES OF THE HOUSE SELECT INVESTIGATING COMMITTEE

The meeting scheduled for April 30th and May 1st were postponed to June 26th by Chairwoman Erin Davis due to the extended legislative session.