

Journal of the Senate

FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Thursday, January 15, 2015, 2:30 p.m.

The Senate was called to order by President Susan Wagle.

The roll was called with thirty nine senators present.

Senator Ostmeyer was excused.

Invocation by Father Don Davidson:

Holy God, in all the things that we have to do in our full days, help us to remember those who are most important to us. The simplest of greetings, a nice word, maybe an embrace can say more than beautiful poetry and generous prose. The busier we become the more we may be inclined to put aside those whose lives are most intertwined with our own. So today, Lord, grant us the patience to stop, thank and care about the loved ones in our lives. In your mighty name we pray. Amen

The Pledge of Allegiance was led by President Susan Wagle.

POINT OF PERSONAL PRIVILEGE

Senator Haley rose on a Point of Personal Privilege to share remarks in remembrance of Doctor Martin Luther King, Jr.

Madame President and Gentle Colleagues of the Kansas Senate:

First, again I sincerely Thank You for allowing this annual exhortation of the Doctor Martin Luther King, Junior, Holiday, to be spread upon the Journal. After twenty-one times now, I appreciate that some may understandably weary of a theme whose mantra is alien and distant; especially those of you in this Chamber who might even find it, and its true meaning, irrelevant. So cognizant of that, I'll be brief.

Wherever you happen to fall between stark political lines that we call our great democracy, here we have the Holiday bearing the name of but one American who wanted to insure that justice and equal access and life and liberty and the pursuit of happiness and all of those inalienable rights imagined in our federal Constitution and in subsequent defining papers like the Bill of Rights ... that these ideals would not be the sole province of one race or culture or one sexual orientation or gender or of one religion or political persuasion ... but that the beauty and bounty of being American should belong to ALL Americans ... each five-fifths a human ... irrespective of other pre-existing or adopted conditions that might repress or divide us.

Now honestly, I personally don't go out to the movies often. But, breaking tradition last week, I cajoled my nineteen year old daughter Mariah and boyfriend Shawn to join me at the opening of the movie "SELMA"; which, upon further reflection, was a troubling mistake. I knew our children have little idea of virulent segregation and of blatant discrimination as an acceptable and constant way of life in our country. And that

too often, their “take-away” from the way that “we were” as a society is a “that was then, but this is now” misperception. In short, when exposed to obvious yesteryear divisions, they are lulled into a potentially false sense of complacency of the world condition towards equality today.

Further realizing my mistake, after the movie I realized how comfortable I too had become in accepting and not working harder to bridge the still all too prevalent chasm between Americans. What about you, Madame President? What about you, Gentle Colleagues? Can we at least too sadly agree that national events of 2014 from social and political unrest and discord have unified some of different hues but fragmented and further polarized others? THIS ... is an APOLITICAL observation. I am not here today to *JUDGE* ... only, most optimistically ... to *BUDGE* !

So, SELMA was not an entertaining movie for me. As it turned out, I paid good money to be troubled; over and over again since. In closing, it is obvious that 50 years later, the people of the United States of America may be as polarized along stupid dividing lines in as many ways now than ever before.

But, my hope in these moments as we approach this uniquely American Holiday symbolic of a healing and unifying spirit of enduring ascension is simply this ... my children and yours will not just hear our words of unity but see our actions practice the same. That our neighbors and fellow congregants and constituents will find noble a healthy and even worthy division of ideas and opinions that have nothing to do with religion or race or gender or age or income or creed of whom might hold a differing view.

Madame President, Senate Colleagues ... the powerful imagery of crossing the Edmund Pettis bridge in Alabama towards voting rights and inclusion is as relevant today in the bridges of access and of income and of freedom to assemble ... “equalities” our great country has yet to completely cross. That’s a walk my plea to each of you is for all of us to share. We are a courageous, diverse and resourceful nation, aren’t we ? And United, our walk can be illustrated every day. It is the courage of a 7 year old girl who, as a sole survivor of a small plane crash, courageously picked her way through brush and bramble and muck through the night; much like we must still muster courage through the darkness of hate and prejudice and discrimination, to find the safety and solace of light, warmth; societal inclusion. Dr. King once spoke of such determination saying: “ Faith is taking that first step even when you can’t see the entire staircase.”

Now, as for the rest who can not or who simply will not, I leave the refrain of a timeless song : “ Go ahead and hate your neighbor; Go ahead and cheat a friend. Do it in the name of Heaven, You can justify it in the End. There won’t be any trumpets blowing, Come your judgment day, On the bloody morning after...one tin soldier rides away.”

Either way, I bid each of you a safe and reflective, Dr. King Holiday weekend.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 29, AN ACT concerning sales taxation; relating to the community improvement district sales tax administration fund; amending K.S.A. 2014 Supp. 12-6a31 and repealing the existing section, by Committee on Assessment and Taxation.

SB 30, AN ACT concerning taxation; relating to mineral severance tax; filing of

returns by electronic means; waiver by director of taxation; amending K.S.A. 2014 Supp. 79-4221 and repealing the existing section, by Committee on Assessment and Taxation.

SB 31, AN ACT concerning taxation; relating to permitted use of tax information; tax liens upon personal property; warrants; time for returns and payment of tax; liability for persons responsible for collection of sales or compensating tax; amending K.S.A. 2014 Supp. 75-5133, 79-3234, 79-3235, 79-3235a, 79-3607, 79-3617, 79-3643 and 79-41a03 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 79-3235b, by Committee on Assessment and Taxation.

SB 32, AN ACT concerning education; creating the efficient operation of schools task force; relating to annual audits of school districts; relating to audits of the state department of education; amending K.S.A. 2014 Supp. 46-1226 and repealing the existing section; also repealing K.S.A. 2014 Supp. 46-1130, 46-1132 and 46-1133, by Committee on Education.

SB 33, AN ACT concerning education; creating the Kansas education standards study commission, by Committee on Education.

SB 34, AN ACT concerning elections; relating to voting; penalties for voting crimes; prosecution of election crimes; amending K.S.A. 25-2409, 25-2416, 25-2423 and 25-2431 and K.S.A. 2014 Supp. 25-1128 and 25-2507 and repealing the existing sections, by Committee on Judiciary.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to Committees as indicated:

Corrections and Juvenile Justice: **SB 20**.

Ethics and Elections: **SB 26**, **SB 27**, **SB 28**.

Federal and State Affairs: **SB 24**, **SB 25**.

Judiciary: **SB 22**, **SB 23**.

Transportation: **SB 21**.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Faust-Goudeau introduced the following Senate resolution, which was read:
SENATE RESOLUTION No. 1705—

A RESOLUTION commemorating the 50th Anniversary of the 1965 Piatt Street plane crash, the worst aviation military disaster in Kansas history.

WHEREAS, January 16, 2015 marks the 50th anniversary of the 1965 Piatt Street plane crash, an event that devastated the city of Wichita. On the 50th anniversary of this tragedy, all Wichitans and citizens of Kansas pause to remember and honor the lives of those who died; and

WHEREAS, Tragedy struck Wichita on the cold Saturday morning of January 16, 1965. While many children were watching cartoons at 9:31 a.m., a fuel-laden KC-135A jet tanker from McConnell Air Force Base crashed into the neighborhood of 20th and Piatt Streets, killing seven air crewmen and 23 residents, including an unborn child. In addition, numerous family pets were lost; and

WHEREAS, The events of the tragic day united Wichitans in the spirit of helping their fellow citizens, including response teams of emergency workers, medical

personnel, ministers and counselors; and

WHEREAS, A local committee of citizens responded by organizing a memorial service on June 9, 2001, at McConnell Air Force Base in Wichita, Kansas. Members of this committee included Claude L. Daniels, Jr., Victor S. Daniels, Evonne W. Dugan, Timmi Jackson, Dorothy Nixon and other members of the community; and

WHEREAS, After September 11, 2001, security on the base was tightened for safety, and civilian family members were denied entrance to the base. However, a marker is still on the base grounds to serve as a monument to those who perished; and

WHEREAS, The lack of access to McConnell Air Force Base prompted a second committee of local citizens to form, known as the Piatt Memorial Park Project Committee. The Committee was organized by Senator Oletha Faust-Goudeau, a Kansas State Representative at the time. The Committee petitioned the Wichita City Council in 2004 to rename Piatt Park to "Piatt Memorial Park" to better reflect the site's history; and

WHEREAS, The Piatt Memorial Park Project Committee began raising funds for the memorial in 2004, and a monument was erected in 2007 at the site of the crash. The monument is fifteen feet tall, made of black granite and is surrounded by commemorative bricks and benches where family members can sit and reflect; and

WHEREAS, The unveiling and dedication ceremony for the monument took place on July 14, 2007, at the site of the crash, and 150 people were in attendance. At the site is a Kansas State Flag, presented by former Governor Kathleen Sebelius, and an American Flag, presented by former U.S. Representative Todd Tiaht; and

WHEREAS, The Piatt Memorial Park Project Committee members include: Chair, Senator Oletha Faust-Goudeau; Vice Chair, Dr. Carla Lee; Secretary, John Polson; Treasurer, Inga Taylor; Survivor, Sonya House; Honorary Member, Captain Kelly Bolen, Tanker/Refueling Unit, MAFB; and members, James Arbertha and Jamil Moody; and

WHEREAS, The Kansas Historical Society recognizes the Piatt plane crash as the "Worst Non-natural Disaster Occurring in Kansas History," where the most people died on the same day, at the same time, and in the same place, in Kansas history; and

WHEREAS, D.W. Carter, a Kansas historian and educator, authored a book entitled "Mayday over Wichita: The Worst Military Aviation Disaster in Kansas History," recalling the events of that cold winter day in January 1965, and examining the myths and realities of the crash while providing new insights about the horrific four-minute flight that forever changed the history of Kansas; and

WHEREAS, A website was designed by Colonel Duncan of the Commemorative Air www.duncanwebsiteservices.com/piattmemorial/index.htm; and

WHEREAS, The current members of the Piatt Memorial Park Project Committee seek to honor and remember the victims of the Piatt plane crash: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we commemorate and remember January 16, 2015, as the 50th anniversary of this tragic event and honor those who perished; and

Be it further resolved: That the Secretary of the Senate shall send an enrolled copy of this resolution to Senator Oletha Faust-Goudeau, Sharon Dale, Tracy Lempe, Leslie Steele, Chandra McCormick, Clyde Stevens, Hosea Davis, Chris Widseth, Claude Daniels, Leo Rogers, Mark Foster and Denise Foster.

On emergency motion of Senator Faust-Goudeau **SR 1705** was adopted unanimously.

REPORT ON ENROLLED BILLS

SCR 1601 reported correctly enrolled, properly signed and presented to the Secretary of State on January 15, 2015.

SR 1701, SR 1702, SR 1704 reported correctly enrolled, properly signed and presented to the Secretary of the Senate on January 15, 2015.

On motion of Senator Bruce, the Senate recessed until 5:45 p.m.

On motion of Senator Bruce, the Senate adjourned pro forma until 8:00 a.m., January 16, 2015.

ROSE MARIE GLATT, CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks*.
COREY CARNAHAN, *Secretary of the Senate*.

□