

Journal of the Senate

SECOND DAY

SENATE CHAMBER, TOPEKA, KANSAS
Tuesday, January 15, 2019, 2:30 p.m.

The Senate was called to order by President Susan Wagle.
The roll was called with 40 senators present.
Invocation by Reverend Cecil T. Washington:

Gracious Master, we turn to You again for guidance. Thank You for the assurance, that when we turn to You, we won't be disappointed.

Among the unfailing promises of Your Word, we're encouraged, in Hebrews 13:5-6, to know, and even be confident, that even though You're invisible, Your presence is with us.

Lord, as we assume the significant responsibilities in these halls, help us by faith to look for and to see visible evidence, that not only did You keep the promise of Your presence; but in Your presence, You kept the promise of Your assistance...the promise of Your support.

So, as our days, weeks and months move forward, help us to move forward with the confidence, that You've got our backs...our fronts, our sides, our tops and bottoms.

I thank You Lord, that in You...in Your authority...in the Name of Your Son, everything that we need, is Amen and AMEN!

The Pledge of Allegiance was led by President Wagle.

REFERENCE OF BILLS

Assessment and Taxation: **SB 13**.
Commerce: **SB 5**.
Ethics and Elections and Local Government: **SB 3, SB 4, SB 7**.
Federal and State Affairs: **SB 8**.
Financial Institutions and Investments: **SB 15**.
Public Health and Welfare: **SB 6, SB 10, SB 11, SB 12**.
Ways and Means: **SB 1, SB 2, SB 9, SB 14; SCR 1601**.

MESSAGE FROM THE HOUSE

Announcing adoption of **HR 6001**, a resolution relating to the organization of the 2019 House of Representatives and selection of the following officers:

Ron Ryckman, Speaker of the House
Blaine Finch, Speaker Pro Tem
Dan Hawkins, Majority Leader
Tom Sawyer, Minority Leader

Susan Kannarr, Chief Clerk
 Foster Chisholm, Sgt. At Arms
 and awaits the pleasure of the Senate

Announcing adoption of **HCR 5002**, a concurrent resolution providing for joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

The following escorts are appointed for the State of the State:
 To escort the Governor: Representatives Baker, Landwehr and Ballard
 To escort the Lt. Governor: Representatives Arnberger, Kessinger and Burroughs
 To escort the Supreme Court: Representatives Wheeler, Owens and Clayton
 To escort the Senate: Representatives Carlson, Thimesch and Neighbor

On emergency motion of Senator Denning, **HCR 5002** was adopted by voice vote.
 President Wagle appointed the following escorts for the State of the State:
 To escort the Governor: Senators Bowers and Pettey
 To escort the Lt. Governor: Senators Berger and Faust-Goudeau
 To escort the Supreme Court: Senators Rucker and Miller

Announcing adoption of **SCR 1602** a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2019 session of the Legislature is duly organized and ready to receive communication. Representatives Baker, Landwehr and Highberger are appointed as House members of the committee.

MESSAGES FROM THE GOVERNOR

MESSAGE FROM THE GOVERNOR
 REGARDING ISSUANCE OF EXECUTIVE CLEMENCY

Pursuant to my authority under Article 1, Section 7 of the Constitution of the State of Kansas, I have on this date issued the following pardons and commutation of sentence:

- Wandaleen Thomas, a native of Wichita, Kansas, currently living in Fountain, Colorado, has received an unconditional pardon. Ms. Thomas was convicted of felony possession of drugs in 1992. She completed her sentence, now owns and operates her own business, and has maintained a record of good conduct as a law abiding citizen in the intervening 26 years since the conviction. Her conviction in the District Court of Sedgwick County was previously expunged by the court, and her pardon request was favorably recommended by the Prisoner Review Board.
- Christopher Rickerson of Wichita, Kansas, has received an unconditional pardon. Mr. Rickerson was convicted of felony possession of drugs in 2006, as well as property and drug misdemeanors in 2005 and 2006. He completed his sentences, now owns and operates his own business, and has maintained a record of good conduct as a law abiding citizen in the intervening 12 years since his convictions. His convictions in the District Courts of Sedgwick and Butler Counties were previously expunged by the courts, and his pardon request was favorably recommended by the Prisoner Review Board.

- Regina Carter of Emporia, Kansas, has received a commutation of sentence. Ms. Carter was convicted of felony distribution/possession of drugs in 2016. She is a combat veteran who suffers from PTSD, and she was a first time offender who was nearing completion of a college degree. She has served nearly three years of her sentence for a first time offense that often results in lesser punishment, that could result in referral to a special veterans court in some jurisdictions, and as to which the statutory penalty has been reduced since her sentencing. Her 98 month sentence has been commuted to 43 months, with conditions requiring 36 months of post-release supervision, drug treatment, education, and drug testing. As a result of the commutation, she can be released from incarceration and into post-release supervision as early as May 2019.

I am providing this report pursuant K.S.A. 22-3703.

Dated: January 10, 2019

Jeff Colyer, M.D.
Governor of Kansas

COMMUNICATIONS FROM STATE OFFICERS

January 14, 2019

Shari Feist Albrecht, Chair and Ryan A. Hoffman, Director - Conservation Division, Kansas Corporation Commission, submitted the Abandoned Oil and Gas Well Status report.

Shari Feist Albrecht, Chair and Ryan A. Hoffman, Director - Conservation Division, Kansas Corporation Commission, submitted the Oil and Gas Remediation Site Status report.

January 15, 2019

Elaine Frisbie, Kansas Board of Regents, submitted the annual report on the Kan-Ed Fund.

Elaine Frisbie, Kansas Board of Regents, submitted the annual report of the Postsecondary Technical Education Authority (TEA).

The President announced that these reports are on file in the office of the Secretary of the Senate and available for review at any time.

On motion of Senator Denning the Senate recessed to the sound of the gavel.

The Senate met pursuant to recess with President Wagle in the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Denning, the Senate resolved itself into Committee of the Whole, for consideration of bills on the calendar under the heading of General Orders with Senator Petersen in the chair.

On motion of Senator Petersen the following report was adopted:

SCR 1603 be adopted.

FINAL ACTION ON BILLS AND CONCURRENT RESOLUTIONS

On motion of Senator Denning an emergency was declared by a 2/3 constitutional majority, and **SCR 1603** was advanced to Final Action and roll call.

SCR 1603, A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2019-2020 biennium.

On roll call, the vote was: Yeas 37; Nays 1; Present and Passing 1; Absent or Not Voting 1.

Yeas: Alley, Baumgardner, Berger, Billinger, Bollier, Bowers, Braun, Denning, Doll, Estes, Faust-Goudeau, Givens, Goddard, Haley, Hardy, Hawk, Hensley, Hilderbrand, Holland, Kerschen, Longbine, Lynn, Masterson, McGinn, Olson, Petersen, Pilcher-Cook, Pyle, Rucker, Skubal, Suellentrop, Sykes, Taylor, Tyson, Wagle, Ware, Wilborn.

Nays: Miller.

Present and Passing: Francisco.

Absent or Not Voting: Pettey.

The resolution was adopted.

On motion of Senator Denning, the Senate adjourned until 2:30 p.m., Wednesday, January 16, 2019.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

