



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | NOVEMBER 4, 2020

November 4, 2020

SECRETARY OF STATE UPDATE ON ADVANCE VOTING

On Oct. 29, Secretary of State Scott Schwab predicted 70% of Kansas voters would participate in the 2020 general election. The pandemic dramatically changed voting patterns in the primary and general elections. As of last Thursday, 506,767 advance (by mail) ballots were sent to Kansas voters. This number compares with 194,505 ballots sent for the 2018 general election and 202,138 advance mail ballots mailed during the 2016 general election. Through Oct. 29, 346,489 advance (by mail) ballots were returned to local election offices, compared to 109,351 in the 2018 general election and 125,544 in the 2016 general election. The party affiliation of the returned advance by mail ballots are as follows: 231,033 Democrats, 189,845 Republicans, 2,606 Libertarians, and 83,269 unaffiliated.

GENERAL ELECTION SUMMARY

The Kansas Congressional delegation will have three changes. Our next United States Senator is Congressman Roger Marshall, who defeated State Senator Dr. Barbara Bollier. The 1st District will be represented by Tracey Mann, who replaces Congressman Marshall. The 2nd Congressional District will be served by State Treasurer Jake LaTurner. Democratic Congresswoman Sharice Davids was re-elected in Congressional District 3. Congressman Ron Estes was re-elected in Congressional District 4. His wife, Susan Estes, was elected to the Kansas House of Representatives serving District 87.

The Kansas Legislature will remain in Republican control. The Kansas House and Senate will have veto-proof majorities, which will allow them to override gubernatorial vetoes in budget battles and reapportionment. Mail ballots *postmarked* by Nov. 3 and arriving by Friday could impact several House races where the candidates are separated by five votes or fewer.

Next session, the 40-member Kansas Senate will have 14 new members. Unofficially, the Senate composition will remain the same, with 29 Republicans and 11 Democrats, although several races are pending. Senate Minority leader Anthony Hensley, the longest-serving legislator in Kansas history who was first elected in 1976, was

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defeated by Rick Kloos. Kristen O'Shea, a first-time Republican candidate, has won the Kansas Senate Seat once held by Gov. Laura Kelly.

The next Kansas House of Representatives will have a slightly larger Republican majority with the 84 votes needed to provide a veto-proof majority. Depending on several close races the number may vary between 84-86 House Republicans when mail ballots postmarked by Nov. 3 (that must arrive by Friday along with provisional ballots) are counted. Forty-five members of the 125 member Kansas House of Representatives had no general election opposition. Despite all the energy and money spent on both sides, it appears that the Republican/Democrat breakdown of the Kansas Legislature will substantially reflect its current makeup.

In early December, the newly elected Legislature will meet to select leaders for each party and handle organizational matters including orientation for new members.

CREG AND KANSAS REVENUE UPDATE

This Friday, the Consensus Revenue Estimating Group (CREG) will meet to assess the Kansas economic outlook and the state general revenue fund. The October Kansas revenue numbers were \$62.6 million more than the estimate and \$43.6 million more than last October. Kansas revenue is \$178 million more than the estimates for the first four months of fiscal year 2021. In April, the CREG reduced its state revenue projections as the pandemic began to cost jobs and close businesses. Observers will be watching to see how much the deferred tax payments until July increased the revenues. Any revised estimates will be used in legislative budget discussions next session.

Kansas Legislative Insights is a publication developed by the Governmental Relations & Public Policy Law practice group of Foulston Siefkin LLP. It is designed to inform business executives, human resources and governmental relations professionals, and general counsel about current developments occurring in current Kansas legislation. Published regularly during the Kansas legislative session, it focuses on issues involving health care, insurance, public finance, taxation, financial institutions, business & economic development, energy, real estate & construction, environmental, agribusiness, employment, and workers compensation. Bill summaries are by necessity brief, however, for additional information on any issue before the Kansas Legislature, contact Foulston Siefkin's Governmental Relations & Public Policy Law practice group leader, James P. Rankin at 785.233.3600 or jrankin@foulston.com.

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Lawyers in America® and the Missouri & Kansas Super Lawyers® list. He is the firm's representative with State Law Resources, Inc., a national network of independent law firms selected for their expertise in administrative, regulatory, and government relations at the state and federal level.

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