



KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | NOVEMBER 9, 2022

November 9, 2022

NEW STATEWIDE OFFICERS ELECTED

The races for governor and attorney general generated the most drama on election night. After one of most expensive gubernatorial campaigns in Kansas history, Governor Laura Kelly narrowly defeated Attorney General Derek Schmidt by a 48-47% margin in the unofficial results. The governor's race continued to tighten throughout the night as western Kansas votes were tallied with the final margin of approximately 14,000 votes for Gov. Kelly. State Senator Dennis Pyle played spoiler after switching from Republican to Independent to seek the governorship as an independent. Sen. Pyle received two percent of the ballots cast, or 19,700 votes. Libertarian Seth Cordell received 10,600 votes.

Kris Kobach and Chris Mann battled all evening to succeed Attorney General Derek Schmidt. Mann held a lead much of the evening. As the votes from western Kansas were counted, Kris Kobach pulled ahead and has apparently won 51 to 49%. Secretary of State Scott Schwab was comfortably re-elected with nearly 60% of the votes. Incumbent State Treasurer Lynn Rogers (D-Wichita) was defeated by State Representative Steven Johnson 54% to 41%. The Libertarian candidate received 5% of the vote. State Insurance Commissioner Vicki Schmidt received the highest number of votes in the statewide races with 63%.

All of the results are unofficial. Under Kansas law, mail ballots postmarked by Nov. 8 will be counted if they arrive within three days. Friday is Veteran's Day, which is a federal holiday with no mail service. Mail ballots arriving by next Monday will be counted. Potentially, mail ballots and provisional ballots could impact several of the close races.

There were two constitutional questions on the ballot. The election and recall of sheriffs passed with 62% of the vote. The constitutional question on legislative oversight of rules and regulations was narrowly defeated by 6,000 votes (50-50%). While unlikely, it will be interesting to see if there are enough mail and provisional ballots next Monday to impact the rules and regulations constitutional question.

All of the members of the Kansas Supreme Court have been retained. Our best information is that all members of the Kansas Court of Appeals and District Court judges on the Nov. 8 ballot have been retained as well.

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CONGRESSIONAL DELEGATION RE-ELECTED

US Senator Jerry Moran easily defeated Democratic challenger Ron Holland with 60% of the votes cast. In the 1st Congressional District, Rep. Tracy Mann (R-Salina) received more than 68% of the vote. In the 2nd Congressional District, Rep. Jake LaTurner was re-elected after defeating Democrat Patrick Schmidt with 54% of the vote. Rep. Ron Estes (R-Wichita) will return to Congress after winning re-election with 64% of the vote.

The most-watched race was in Congressional District 3 around Kansas City. The Legislature reapportioned the Congressional District 3 map to make it more favorable for Republicans. Democrat incumbent Rep. Sharice Davids faced Republican Amanda Adkins for the second time. Rep. Davids prevailed with 55% of the vote.

KANSAS LEGISLATURE UPDATE

There was less drama in the Kansas House of Representatives, with 65 of the 125 members not facing an opponent from a major party. The goal of Kansas Democrats was to gain at least three seats to break the Republican supermajority in the House of Representatives. It takes 84 votes to override a governor's veto. Currently, the Kansas House has 86 Republicans. In Johnson County, Democrats won three Republican districts. However, they were unable to defend two Democratic seats elsewhere, resulting in an 85-40 Republican margin. While the results are unofficial, it appears the Republican supermajority will continue in the House.

After the death of Sen. Bud Estes in 2021, former House member Ron Ryckman, Sr., was selected by local Republican officials to serve the 38th Senatorial District. State law required him to stand for election in the next general election. Sen. Ryckman received more than 60% of the vote.

Kansas Legislative Insights is a publication developed by the Governmental Affairs & 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 Healthcare, 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 Affairs & Public Policy Law practice group leader, James P. Rankin at 785.233.3600 or jrankin@foulston.com. Learn more about the authors below:

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