

# FOULSTON

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NEWSLETTERS



## KANSAS LEGISLATIVE INSIGHTS NEWSLETTER | SEPTEMBER 8, 2022

September 8, 2022

### PRIMARY ELECTION UPDATE

On Sept. 1, the Aug. 2 primary election results were formally certified by the State Board of Canvassers. The board is composed of Gov. Laura Kelly, Attorney General Derek Schmidt, and Chair Secretary of State Scott Schwab. The August 2022 primary turnout of 939,371 voters shattered the previous high in 1996 by more than 400,000 voters. The record number of voters likely related to the proposed state constitutional amendment on abortion. After recounts, no primary outcomes were changed. State Representative Steven Johnson narrowly defeated State Senator Caryn Tyson by fewer than 500 votes for the Republican nomination for State Treasurer.

Nearly 48% of the 1.95 million registered Kansas voters cast a ballot. The number of registered voters was also a record for a Kansas primary election.

The Aug. 18 campaign finance reports showed more than \$20 million was spent campaigning on the constitutional amendment question. Anti-abortion advocates spent more than \$8.4 million to amend the constitution, while opponents of the amendment raised at least \$12 million. The amendment was defeated 59.16% to 40.84%.

The Secretary of State's Office has validated more than the required 5,000 signatures for Sen. Dennis Pyle, I-Hiawatha, and running mate Kathleen Garrison, I-Haysville, to be Independent candidates for governor/lieutenant governor in the November general election.

### FOULSTON MOURNS THE PASSING OF REP. GAIL FINNEY

The Foulston family extends our condolences to the family of Rep. Gail Finney, D-Wichita, who passed away on Aug. 20. She was 63 years old and represented the 84th House District for 13 years. Rep. Finney had recently undergone a kidney transplant in her fight against lupus, an autoimmune disease. Her husband, Jerrold Finney, Sr., said her body rejected the new kidney.

### SPORTS WAGERING OPENS

After a flood of advertising by sports betting vendors, sports wagering began on Sept. 1 through the state's four casinos with a soft launch with Gov. Kelly buying a ticket. The casinos, through their contractors, will offer

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internet/cell phone betting if the bettors are in Kansas when making their bets. The full launch is expected by Sept. 8, in time for the NFL season. Senate Federal and State Affairs Committee Chair Sen. Rob Olson, R-Olathe, commented: “My constituents have pushed for this legislation for years, and now, the next time we have a significant sporting event in our state, Kansans will be able to bet on their hometown team.”

## AUGUST REVENUE

August is the 25th consecutive month in which actual state revenue has exceeded the estimates. August tax revenues were \$13.5 million higher than the estimates. After two months into Fiscal Year 2023, revenue is 12.3% higher than the estimates. Gov. Laura Kelly commented: “It is because of strong revenues and fiscal responsibility that we have been able to cut property and grocery taxes, strengthen infrastructure, fund law enforcement, and fully fund public education. For the 25th consecutive month, we have met or exceeded the revenue estimate, showing that we are providing businesses a stable economic environment to grow and succeed.”

## TOPLIKAR REPLACEMENT

On Aug. 29, House District 15 Republican precinct leaders selected political consultant Matt Bingesser, R-Olathe, to replace retiring state representative John Toplikar, R-Olathe. Rep. Toplikar resigned in July after suffering a heart attack. Bingesser will complete Toplikar’s term for the rest of the year. He will face real estate agent Allison Houglund, D-Olathe, in the November general election. House District 15’s electorate breakdown is 39.7% Republican, 30.2% Democrat, and 28.7% unaffiliated.

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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](mailto:jrankin@foulston.com). Learn more about the authors below:

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As a partner at Foulston Siefkin, Jim’s practice focuses on employee benefits law relating to public, private, governmental, and tax-exempt organizations. A large part of his work involves Insurance Regulatory and compliance issues in many industries, including Healthcare. Jim has been selected by his peers for inclusion in *The Best 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 governmental relations at the state and federal level.

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Eric, a governmental affairs consultant to Foulston Siefkin's Governmental Affairs & Public Policy practice group, has nearly 30 years' experience providing strategic direction and governmental relations services. As Wichita State University's governmental relations leader for 18 years, Eric developed lasting relationships at the local, state, and federal Government level around Kansas. Eric holds a doctorate in political science from the University of Kansas and a masters in public administration from Wichita State University, complementing his undergraduate business degree from Wichita State.

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As a partner at Foulston Siefkin, Eddie represents clients in matters before state regulatory commissions, courts, and local governmental bodies. He has built and maintained relationships with key individuals – including lobbyists, elected and appointed officials, and staff members – that prove valuable in advancing clients' interests and issues. Drawing on his experience as a regional governmental affairs attorney for AT&T in Chicago, he helps clients navigate the maze of federal policies and agencies, advises on how processes work in Washington, and provides introductions to those who can help them accomplish their goals.

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## PRACTICE AREAS

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