



Kansas Legislative Update for August 14, 2022

State Treasurer Race Still Too Close to Call - As counties have begun [to certify their election results across the state](#), retiring State Representative Steven Johnson still maintains a slight lead over sitting Senator Caryn Tyson. The vote margin – with Johnson ahead by 409 votes as of Thursday – could still change with the [18,756 provisional ballots yet to be counted](#). Those ballots are within three of the state’s largest counties (Johnson, Sedgwick, and Shawnee), none of which are scheduled to hold their canvass and certification until Monday. According to state law, however, candidates must have requested a recount by 5pm this past Friday, prior to those certifications. [This request did come](#) from Caryn Tyson, for 55 select counties (unknown at this time) who will shoulder the cost of the recount unless she prevails, in which case the counties will pay. The estimated recount cost is \$42,000. Whoever comes out of the primary will face incumbent Democrat Lynn Rogers in November.

Recount Requested in Abortion Amendment Vote - Despite the ‘Value them Both’ amendment failing statewide by 165,000 votes, [a full recount has been requested](#) by Kansas citizen and self proclaimed “election integrity advocate” Melissa Leavitt. She has currently publicly raised around \$3,000 to fund the recount, though the actual cost will be much higher. Kansas law states that individuals who request recounts must put up a bond to cover the cost, and Leavitt indeed posted the \$200,000 bond. The Secretary of State’s office [intends to fulfill the recount request](#), even as most counties across the state have now certified their election results. Though

there was one oddity in Cherokee County that impacted only the county commission race there, Leavitt points to this as one reason for her request. Other reasons are broad and vague statements about voter fraud – a persistent message heard in Kansas though there is absolutely no evidence of such. Republican Secretary of State Scott Schwab has repeatedly stated that Kansas elections are secure, that there is zero evidence of fraud, and even introduced a legislative package to further cement election security. This will be the first recount on a statewide ballot initiative in over 30 years. It is highly unlikely that anything will change, however, as the amendment failed 41% - 59%

Panasonic Plant Updates - The Kansas Department of Health and Environment, alongside the federal Environmental Protection Agency, [has approved permit changes](#) for the new Panasonic plant being built in the state. The permit was necessary to allow a release for development of the Sunflower Army Ammunition Plant in De Soto after decades of pollution due to the manufacturing of explosives. Meanwhile, Governor Laura Kelly and former Republican Lt. Governor Gary Sherrer [submitted a joint column](#) to the Topeka Capital-Journal in which they lauded the bipartisan work required by the legislature and administration to secure the Panasonic deal. They also discussed the benefits and prosperity the project brings to the state, as well as jobs and a massive economic investment. They hope to bring more businesses to Kansas and continue the successful economic development the state has seen over the last few years. The acknowledgement of work still to be done is evident in their closing of the column: “We don’t claim that this project will solve every challenge facing our communities. But every Kansan should know what it means for them — that, with the right leadership, both sides of the aisle can work together to deliver jobs and opportunity to the entire state. Let’s celebrate this milestone and then begin working to get to the next.”

Sports Betting Makes Strides; No Start Date in Sight - On Friday, the Kansas Racing and Gaming Commission [approved regulations for sports wagering](#) after it was passed by the legislature and signed into law by Governor Kelly earlier this year. It also approved six platforms for wagering, including DraftKings, FanDuel, BetMGM, and Barstool Sportsbook. While this does prove significant progress, there is still no timeline or official starting date for sports betting to formally begin in the state. The final decision on this lies in the hands of the Kansas Lottery Commission, who will decide after agreements among the casinos and various betting platforms as well as ensuring that all requirements have been met according to state law. The next meeting of the Lottery Commission is set for September 7th.

Former U.N. Ambassador Endorses Schmidt - Derek Schmidt, current Attorney General and Republican nominee for governor in the 2022 general election, [has secured the endorsement](#) of former U.N. Ambassador and former South Carolina Governor Nikki Haley. This conservative endorsement is important for Schmidt as independent Senator Dennis Pyle, also running for governor, is campaigning to Schmidt's right as he labels Schmidt a "liberal." In her endorsement, Haley said: "AG Schmidt's a pro-law and order, pro-2A, pro-small business freedom fighter who has taken Biden to court—and won. As governor, he'll be a strong voice for the people of Kansas, and make sure his state is free from Washington's liberal overreach." Haley uses her own PAC (called Stand for America) to help fund conservative candidates across the country.

Largest North American Wheat Plant Opens in Kansas - Last week in Phillipsburg, KS, the company Amber Wave held its ribbon-cutting grand opening event as the largest wheat plant in North America. Amber Wave focuses around sustainable agriculture, food ingredients, and low-carbon fuels. In Kansas, the wheat protein ingredients plant will be the largest producer on the continent within the next two years. With it comes a \$250M economic investment in the state and at least 60 jobs. In a press release, Governor Laura Kelly said: "Kansas is known for its high-quality wheat, and this cutting-edge facility will strengthen the competitive edge we have in the market. Now, Kansas wheat farming families will have a massive direct buyer close to home and major food, baking, and pet food companies are able to have their wheat needs met here in Phillipsburg. This investment shows why our constant efforts to bring businesses to Kansas matter: Every local business owner and community member benefits." The CEO of Amber Wave's parent organization, Bruce Rastetter, said the company had evaluated several sites, finding that "Prairie Horizon is ideally located. The wheat protein we will produce is a healthy ingredient used widely within baked goods, pet food and growing aquaculture feed markets." "Today, wheat protein demand in the U.S. is heavily reliant on imports, and with consumers demanding more transparency about the origins of the food they eat, we see a real opportunity."

UPCOMING INTERIM MEETINGS

- **Joint Committees on Information Technology & Kansas Security**, Aug. 17th, TBD
- **Special Committee on Mental Health Beds**, Aug. 23rd, time TBD
- **Senior Care Task Force**, Aug. 24th and 25th, 9:00am
- **Legislative Budget Committee**, Aug. 25th, 9:00am
- **Legislative Post Audit Executive Committee**, Aug. 29th, 9:00am

- **Special Committee on Water**, Aug. 29th and 30th, 9:00am
- **Task Force; Community and Tech College State Funding**, Aug. 30th, time TBD

NEWS

- [DCF contractor Saint Francis Ministries defrauded of \\$10.7 million by former IT chief, feds allege](#); Topeka Capital-Journal
- [This Johnson County city is installing cameras, license plate readers at 10 intersections](#); Kansas City Star
- [Schmidt campaign kicks hole in Kelly's narrative of full Kansas job recovery from COVID-19](#); Kansas Reflector
- [News about Panasonic battery plant is good for all of Kansas, with more opportunities to come](#); Column, Topeka Capital-Journal
- [Kelly says Kansas has restored lost jobs, but state remains below pre-pandemic level](#); Kansas City Star
- [Gaming regulators make no commitment about start date for sports wagering](#); Sunflower State Journal
- [Treasurer's race: Where it stands and who has provisional ballots to count](#); Sunflower State Journal
- [Former U.N. ambassador backs Schmidt](#); Sunflower State Journal
- [Kansas GOP primary for treasurer remains too close to call. Here's what to know.](#); Kansas City Star
- [Reno County looks at vote discrepancy](#); Topeka Capital-Journal
- [Here's where Kansas stands on voting access and election law changes](#); Topeka Capital-Journal
- [Rural voters defy long-held assumptions as Value Them Both fails in Kansas](#); Topeka Capital-Journal
- [Big Tech's court wins risk a big backlash against Section 230](#); Kansas City Star
- [Kansas Sen. Roger Marshall: Fight Wall Street banks with credit card fee competition](#); Guest Commentary, Wichita Eagle