Overview

Following the primary election, the Legislature and policy issues have been minimal. Interim legislative committees will begin in earnest next week up until the general election draws closer on November 8th. We anticipate an increase in activity in the next couple months.

Undoubtedly, the biggest news over the last few weeks was the August primary and the defeat of both the anti-abortion constitutional amendment as well as several moderate incumbent candidates. The primary on August 2nd saw some of the highest voter turnout in recent history, with roughly 923,000 Kansans getting out to vote. (This, compared to 457,598 voters in the 2018 primary and 636,032 voters in the 2020 primary). Voters handily rejected an attempt to change the state constitution and remove protections for abortion, with 59% voting no. The overwhelming defeat of the amendment has perhaps given Governor Kelly a boost as November 8th approaches.

Despite the decisive defeat of the constitutional amendment, a handful of Republicans, moderates in particular, were defeated by more conservative candidates. (Those races are detailed further below). Other closely watched races included the three-way primary for Attorney General, with former Secretary of State Kris Kobach narrowly defeating State Senator Kellie Warren 42% to 38%. Former assistant U.S. Attorney Tony Mattivi finished third with only 20% of the vote. Kobach faces attorney and former law enforcement officer Chris Mann in November. Warren will retain her seat in the Senate where she currently chairs the Judiciary Committee. The primary for Secretary of State was perhaps closer than some were expecting, though incumbent Scott Schwab still defeated conservative former Johnson County Commissioner Mike Brown with 55% of the vote.

The closest race by far, however, was the State Treasurer, with moderate former Representative Steven Johnson (Assaria) barely defeating Senator Tyson (Parker) by around 300 votes. Tyson requested a recount, as any certified outcome where the difference in the vote tally is less than half a percent entitles either candidate to a taxpayer funded full or partial recount. As of August 16th, Johnson did declare his victory, as his lead had expanded even slightly further, with only a few more counties left to certify their results and only about 800 outstanding provisional ballots.

Big Picture

Results of House Primary Races

- Rep. John Barker in Abilene, who was chair of Federal & State Affairs committee, was defeated by Scott Hill, 53% to 47%.
- Rep. Mark Samsel, who plead guilty last year to reduced charges of misdemeanor disorderly conduct while he was substitute teaching in Wellsville, lost to Carrie Barth, who has no opponent in the general election.
• Rep. Cheryl Helmer, Mulvane, was defeated by Webster Roth, a Winfield auctioneer and real estate agent.
• Rep. Suzi Carlson was defeated by Bill Bloom. During the 2022 Session, Carlson entered into a diversion agreement, allowing a drunk-driving charge to be dropped. Bloom, a farmer from Clay Center, defeated Carlson with 41% of the vote.
• Rep. John Wheeler, Garden City, was defeated by attorney Bob Lewis.
• Rep. Brad Ralph, Dodge City, was defeated by Jason Goetz, who has no opposition in the November election. Goetz is a former lead pastor at Wilroads Garden Christian Church in Dodge City.
• Rep. Tatum Lee, Jetmore, was defeated by Rep. Jim Minnix. The two were competing in a newly drawn House district resulting from a redistricting change. Minnix received 59% of the vote to Lee's 41%, but despite Minnix’s clear victory, Lee has since sought a recount.
• In summary, the primary confirmed that the 2023 Legislature will lean more conservative.

July Revenues

• Kansas began Fiscal Year (FY) 2023 $127.6 million over previous revenue estimates. For the last two years, the state’s tax receipts have consistently exceeded estimates.

Interim Healthcare & Child Welfare Related Activities & Topics

Upcoming Activities of Interest to KAAP

• September 12th-13th: Joint Committee on Child Welfare System Oversight will hold its first set of meetings for the interim. Dr. Jennifer Hansen will update the Committee on the progress of the CARE pilot project.
• The Kansas State Board of Nursing will hold its public hearing for the permanent revisions on September 6th. KAAP, in conjunction with KMS and others, will submit comments in opposition.
• Save the date for KAAP Advocacy Day 2023! Wednesday, February 8th, 2023 at the Kansas Statehouse.

APRN Legislation HB 2279

• At its August Board meeting, the Board of Healing Arts reported that it had no response from the Attorney General’s office related to the Board’s request for an opinion related to the legislation. The request to the AG is still under review.
• Four of the seven regulations proposed by the State Board of Nursing exceed the scope of the legislation and would allow APRNs to practice medicine. The State Board of Nursing will hold its public hearing on the regulations on September 6th, and KMS, Healing Arts, and associated stakeholders will offer opposition to the four proposed regulations.
• At its August Board meeting, the Board of Healing Arts reiterated its authority to prosecute the unlicensed practice of medicine and will continue to receive, investigate, and when appropriate, prosecute the unlicensed practice of medicine.
Postpartum Coverage Officially Approved

- Last month, postpartum coverage for twelve months post-delivery for Kansas women was officially approved by CMS. The extension from two months to twelve is retroactive to April 1st, 2022.

Lead Mitigation Efforts

- The passage of the bipartisan federal Infrastructure Investment and Jobs Act in November 2021 has sparked renewed efforts to mitigate exposure to lead, particularly lead pipes and the disproportionate impact that has on children and disadvantaged communities.
- The bipartisan infrastructure law will, among many other efforts, seek to “deliver clean water to all American families and eliminate the nation’s lead service lines.” According to the White House briefing on the legislation, “Up to 10 million American households and 400,000 schools and childcare centers lack safe drinking water. The Bipartisan Infrastructure Law will invest $55 billion to expand access to clean drinking water for households, businesses, schools, and childcare centers all across the country. From rural towns to struggling cities, the legislation will invest in water infrastructure and eliminate lead service pipes, including in Tribal Nations and disadvantaged communities that need it most.”
- Further, the Act allocated $15 billion to replace lead lines around the country. Congresswoman Davids discusses the bill and related efforts in this article: [https://missouriindependent.com/2022/08/11/kansas-congresswoman-sharice-davids-touts-federal-funds-for-lead-pipe-replacement/](https://missouriindependent.com/2022/08/11/kansas-congresswoman-sharice-davids-touts-federal-funds-for-lead-pipe-replacement/)
- Closer to home, the Missouri Legislature passed a bill last Session requiring schools to test their drinking water for lead and respond appropriately if levels exceed what is safe. More on that legislation here: [https://missouriindependent.com/2022/04/25/missouri-senate-overwhelmingly-approves-bill-requiring-schools-test-filter-water-for-lead/](https://missouriindependent.com/2022/04/25/missouri-senate-overwhelmingly-approves-bill-requiring-schools-test-filter-water-for-lead/)

Upcoming Activities

We’ll be providing updates monthly and as issues arise during the summer and fall. During the summer and fall, interim committee meetings can be viewed live or recorded on both the Legislature’s website [http://www.kslegislature.org/li/](http://www.kslegislature.org/li/) and YouTube [https://www.youtube.com/c/KSLegislatureLIVE](https://www.youtube.com/c/KSLegislatureLIVE)

Additionally, interim committees, membership, agendas, and testimony can be found on the Legislature’s website, although meeting documents are not always timely. [http://www.kslegislature.org/li/b2021_22/committees/non_standing/#Joint](http://www.kslegislature.org/li/b2021_22/committees/non_standing/#Joint)

Tuesday, August 23rd.
Special Committee on Mental Health Beds.

Thursday, August 25th.
Legislative Budget Committee. 9:00 AM.
Monday-Tuesday, September 12th-13th.
Joint Committee on Child Welfare System Oversight.