

Fortnight Election Report



“In politics, there is no use looking beyond the next fortnight.”
— Joseph Chamberlain, British politician and statesman

► Welcome to the Dentons US Public Policy team's *Election Fortnight Report*, a brief snapshot of where we believe things stand two weeks out from election day. In this Report, we have sought to identify the most highly competitive races at the federal and state levels; races you'll likely want to focus on over the next two weeks. We also highlight a sampling of key ballot measures in states across the country.

To say that this election is one for the history books—and not in a good way—is both accurate and woefully understated. Fueled by non-stop 24/7 media coverage, this presidential race will likely be remembered as the most toxic, divisive and dispiriting election that any of today's voting population has ever experienced.

The coalitions that have come together to propel Donald Trump to be the Republican nominee are fundamentally different from those in recent memory, resulting in an historically unorthodox candidate with a vociferous, albeit comparatively narrow, base of supporters, many of whom feel both maligned by the traditional Republican party and powerless in today's politics. Mr. Trump's electoral challenge in the final two weeks will be to build support beyond his base.

While the Democratic presidential candidate's core coalition consists largely of the more familiar and conventional Obama coalition from 2008 and 2012, Secretary Clinton's challenge has been, and will continue to be, to reassemble and re-energize that coalition so that she can take full advantage of the current President's resurging popularity and build Democratic turnout. Like Mr. Trump, she also will seek to build upon her base by attracting Republicans and Independents who are uncomfortable with voting for her opponent.

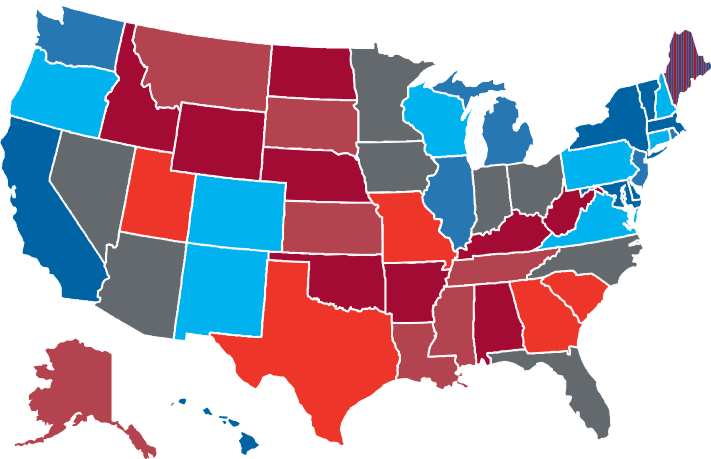
Whether, and how, these factors translate to down-ballot races (or even produce a wave for one party) are questions that will engage historians, sociologists and political scientists for years to come. We don't presume to answer those questions in this document. To do that examination justice, we believe that time and reflection clearly will be required. Instead, this Report lays out the playing field on which both parties are competing. We list the players, hazard a guess at the results were the elections held today, and even provide a scorecard for those of you following at home.

Look for our comprehensive "day after" *Election Insight Report*, which will break down what actually occurred on Election Day and why. It will be hitting inboxes by 10 a.m. on November 9. In it, we will explore the trends that the election results reveal and how they will impact the legislative agendas of the new President and Congress. The report will also address potential candidates for the new President's cabinet; the likely composition of Congressional Leadership, committee chairs and ranking members; and how the results will affect activities in the states.

White House

262 Democrats			106 Toss Ups		Republicans 170		
115 Safe		70	77	106	80	40	49 Safe

Solid D	Likely D	Lean D	Toss Up	Lean R	Likely R	Solid R
7 States	6 States 1 CD	9 States	8 States	5 States 1 CD	7 States	9 States
California (55)	Delaware (3)	Colorado (9)	Arizona (11)	Georgia (16)	Alaska (3)	Alabama (9)
District of Columbia (3)	Illinois (20)	Connecticut (7)	Florida (29)	Maine CD2 (1)	Kansas (6)	Arkansas (6)
Hawaii (4)	Maine CD1 (1)	Maine (2)	Indiana (11)	Missouri (10)	Louisiana (8)	Idaho (4)
Massachusetts (11)	Michigan (16)	New Hampshire (4)	Iowa (6)	South Carolina (9)	Mississippi (6)	Kentucky (8)
Maryland (10)	New Jersey (14)	New Mexico (5)	Minnesota (10)	Texas (38)	Montana (3)	Nebraska (5)
New York (29)	Rhode Island (4)	Pennsylvania (20)	North Carolina (15)	Utah (6)	South Dakota (3)	North Dakota (3)
Vermont (3)	Washington (12)	Oregon (7)	Nevada (6)		Tennessee (11)	Oklahoma (7)
		Virginia (13)	Ohio (18)			West Virginia (5)
		Wisconsin (10)				Wyoming (3)



The race for the Oval Office, when you remove the possibility of “October surprises” on both sides, has been a surprisingly consistent one since Labor Day. Trends have shown Secretary Clinton leading in the national polls as well as in the state polls across the country.

Remembering that the Democrats begin the hunt for Electoral College votes with a base of just over 200 votes and the Republicans with just under 130, Donald Trump has had a significantly narrower road to the highest office in the land. As our charts show, were the election held today Hillary Clinton would be inaugurated on January 20 at the Capitol’s West Front. With two weeks to go, only an outside event of significant magnitude could change this trajectory.

Senate

47 Democrats

7 Toss Ups

Republicans **46**

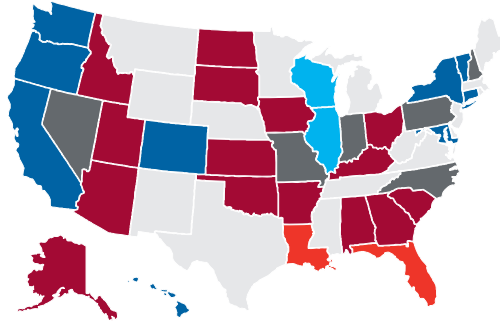
44 Safe or Not Up

1 2

7

5

41 Safe or Not Up



Races of Note

Illinois

Incumbent Senator Mark Kirk surprised the political world in 2010 when he won in this very blue state. His luck looks to have run out this time. The seat is expected to captured by the Democrats.

Wisconsin

Johnson ran as an outsider in '10. In this, the year of the outsider, the incumbent finds himself running against former Senator Feingold. In Wisconsin, Secretary Clinton has a commanding lead and organization. Speaker Ryan is working hard for RonJohn, but it looks to be too little too late.

Indiana

The Bayh name is the gold standard in In politics. At least it was. The former Senator has seen his double-digit lead drop to a single point.

Nevada

The open seat left by retiring minority leader Reid is the only pickup opportunity on the board for the GOP. Heck was out of the box early condemning the GOP's nominee after the leaked NBC tape. This has caused disgust at best and disillusionment at worst for the Trump base in NV.

New Hampshire

A neck-and-neck race, where neither candidate has seen a lasting significant lead. To-date, Ayotte is over-performing the GOP nominee in NH, but sitting governor Hassan has significant name ID and a well-oiled operation.

Pennsylvania

Senator Toomey has had a moderate record in the Senate on social and gun issues. The question is: Is it enough to cut into the Democratic lead in the Philadelphia suburbs.

North Carolina

Closer than anyone thought, except for possibly the incumbent. The polling has had each candidate in the lead, by small single digits in the last three weeks.

Missouri

Was it the campaign ad of the season? Unknown—but it certainly added momentum to Kander's campaign against Senator Blunt. In a state where only two statewide officials are Republicans, and one of them is the incumbent, this race has been trending in Kander's direction.

Florida

Jumping from the race for the White House back to one's "old job" has not been a successful proposition for candidates in the past. However, the weakness of the democratic nominee and the near 100% name recognition of the incumbent looks to favor Mr. Rubio's return to the Senate for another term.



































Louisiana

November 8th won't settle this seat. Like 2014 we'll have to wait until the December 3rd run off to see who fills the seat of retiring Senator David Vitter. The open primary includes 23 candidates. Of those GOP State Treasurer John Kennedy, GOP Congressmen Charles Boustany and John Fleming, Democratic Public Service Commissioner Foster Campbell as well as former KKK leader David Duke have the highest name recognition. Recent media polls have the State Treasurer ahead.

Georgia

A January run off is in the cards should popular incumbent Johnny Isakson not break the 50% threshold and with a well known libertarian candidate on the ballot that is looking increasing likely. Republicans are expected to hold the seat in a run off should it come to that.

2016 Senate races

Ranking	St	D/R	Incum	Challenger	2010%	Obama 2012%*
FLIP TO D	IL		Kirk	Duckworth	48%	58%
FLIP TO D	WI		Johnson	Feingold	52%	53%
TOSS UP	IN		Open Young	Bayh	NA	44%
TOSS UP	NV		Open Masto	Heck	NA	52%
TOSS UP	NH		Ayotte	Hassan	60%	52%
TOSS UP	PA		Toomey	McGinty	51%	52%
TOSS UP	NC		Burr	Ross	55%	48%
TOSS UP	MO		Blunt	Kander	54%	44%
LEAN R	FL		Rubio	Murphy	49%	50%
LEAN R	LA		Open****	Run Off Dec. 3rd	NA	41%
HOLD D	CO		Bennet	Glenn	48%	51%
HOLD D	CA		Open** Harris	Sanchez (D)	NA	60%
HOLD D	CT		Blumenthal	Carter	55%	58%
HOLD D	HI		Schatz	Carrol	NA	71%
HOLD D	MD		Open Van Hollen	Szeliga	NA	62%
HOLD D	NY		Schumer	Long	66%	63%
HOLD D	OR		Wyden	Callahan	57%	54%
HOLD D	VT		Leahy	Milne	64%	67%
HOLD D	WA		Murray	Vance	52%	56%
HOLD R	AZ		McCain	Kirkpatrick	59%	45%
HOLD R	AK		Murkowski	Metcalfe	39%	41%
HOLD R	AL		Shelby	Crumpton	65%	38%
HOLD R	AR		Boozman	Eldridge	58%	37%
HOLD R	GA		Isakson	Barksdale	58%	45%
HOLD R	IA		Grassley	Judge	64%	52%
HOLD R	ID		Crapo	Sturgill	71%	33%
HOLD R	KS		Moran	Wiesner	70%	38%
HOLD R	KY		Paul	Gray	56%	38%
HOLD R	ND		Hoeven	Glassheim	76%	39%
HOLD R	OK		Lankford	Workman	NA	33%
HOLD R	SC		Scott	Dixon	NA	44%
HOLD R	SD		Thune	Williams	NA	40%
HOLD R	UT		Lee	Snow	62%	25%
HOLD R	OH		Portman	Strickland	57%	51%

*Obama % in 2012.

House

190 Democrats

21 Toss Ups

Republicans **224**

171 Safe

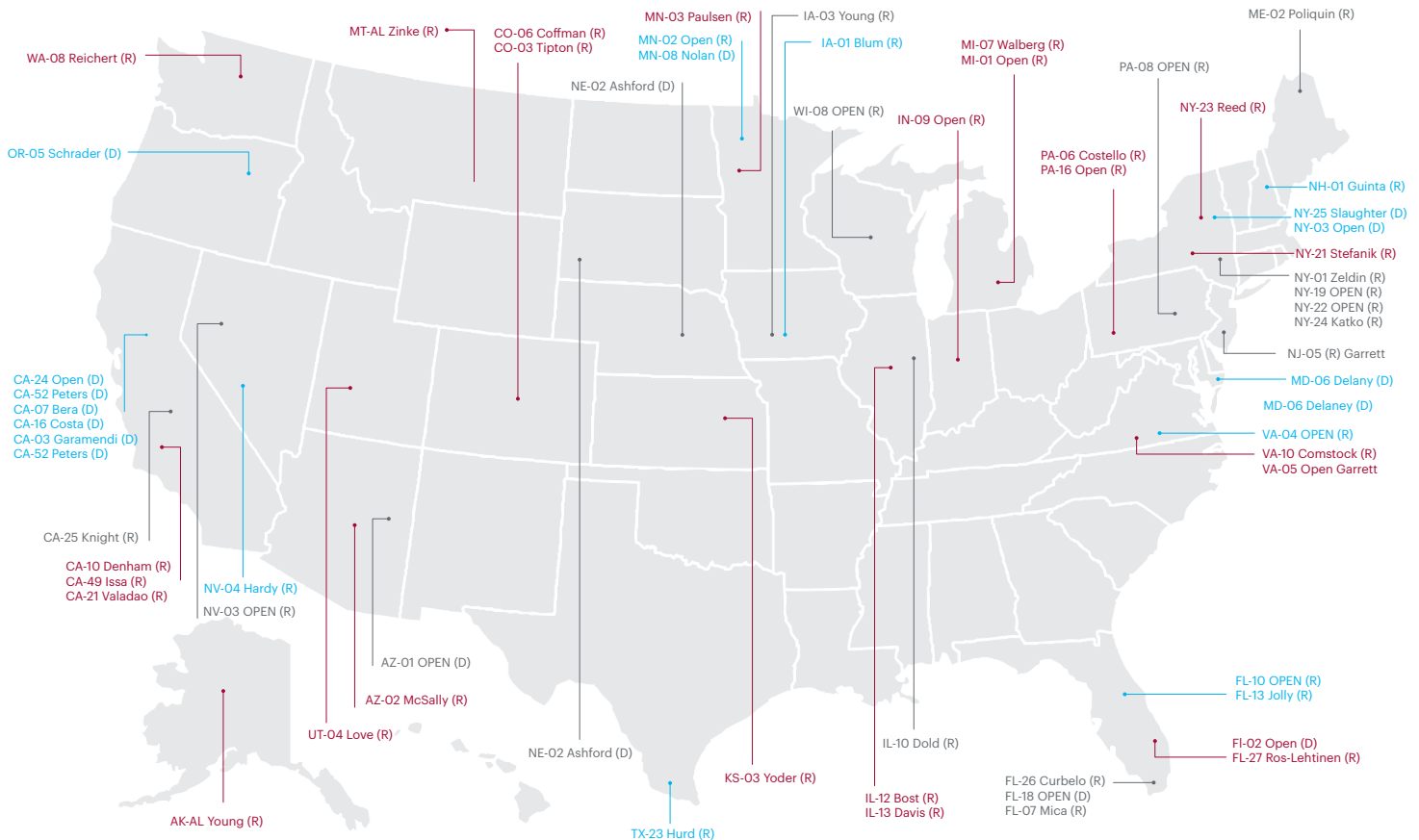
11 7

21

9

24

191 Safe



House race overview

Late October usually brings clarity to the quest for a majority in the House of Representatives, but not this year. While there are still no clear signs of a major wave for Democrats in the House, the number of competitive races has grown at the expense of GOP incumbents.

Republicans holding seats in suburban swing districts are seeing the effects of a down-ticket drag caused by the unpopularity of GOP presidential nominee Donald Trump. The opposite effect seems to be happening in more rural areas across the country.

This dynamic has strengthened the hand of Republicans in upstate New York's rust belt, for example, while weakening the GOP's prospects in areas with a high number of college graduates like Northern Virginia.













Our race tracker is following 46 GOP-held seats in various degrees of competitiveness. Of these, roughly 20 are expected to result in Republican holds. However, should the national dynamics continue to worsen for the GOP, these races are expected to tighten and could result in surprises on election day.

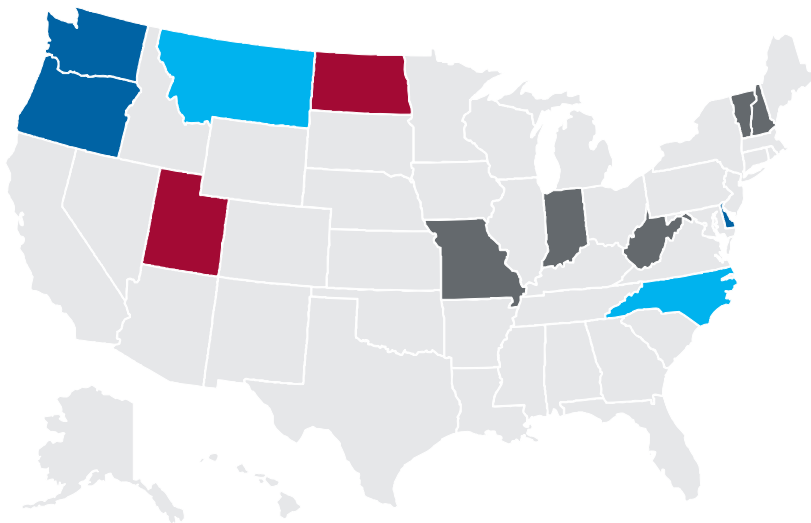
Democrats need to win 30 seats net to take the majority in the House.

House races of interest

Flip to D	Likely D	Lean D	Toss-up	Lean R	Likely R	Flip to R
FL-10	CA-24	TX-23	FL-26	CO-06	IN-09	FL-02
VA-04	CA-52		IA-03	VA-10	AK-AL	
IA-01	MD-06		IL-10	CA-10	CO-03	
MN-02	NY-25		ME-02	CA-49	FL-27	
NH-01	NY-03		NV-03	NY-23	IL-12	
NV-04	CA-07		NY-22		KS-03	
FL-13	MN-08		NY-24		MT-AL	
	CA 16		WI-08		NY-21	
	CA 3		NY-01		PA-06	
	OR 5		PA-08		PA-16	
			CA-25		VA-05	
			NY-19		WA-08	
			AZ-01		MI-07	
			FL-18		AZ-02	
			NE-02		CA-21	
			FL-07		MN-03	
			NJ-05		UT-04	
					MI-01	
					IL 13	
07	10	01	17	5	19	01

Governors

Ranking	State	Party	Incumbent	Challenger
D Hold	DE		(OPEN) John Carney	Colin Bonini
D Hold	OR		Kate Brown	Bud Pierce
D Hold	WA		Jay Inslee	Bill Bryant
Lean D	MT		Steve Bullock	Greg Gianforte
Toss-up	MO		(OPEN) Chris Koster	Eric Greitens
Toss-up	NH		(OPEN) Colin Van Ostern	Chris Sununu
Toss-up	VT		(OPEN) Sue Minter	Phil Scott
Toss-up	WV		(OPEN) Jim Justice	Bill Cole
Toss-up	IN		(OPEN) Eric Holcomb	John Gregg
Lean D	NC		Pat McCrory	Roy Cooper
R Hold	ND		(OPEN) Doug Burgum	Marvin Nelson
R Hold	UT		Gary Herbert	Mike Weinholtz



Sitting governors have won reelection in 50 of their past 53 attempts. And while both parties have opportunities to elect new state leaders in 2016, Democrats' best shot run through Red State governors seeking reelection in North Carolina and Indiana. The GOP, meanwhile, has two Democrats in their sights, in WV and MO. Two other open seats, in Vermont and New Hampshire, seemed within reach in June, but with "top of the ticket drag," this no longer seem viable

Seven of the 12 elections for governor in 2016 are open seats. Only five governors are running for reelection: Bullock in MT, Inslee in WA, McCrory in NC, Brown in OR and Herbert in Uta.

State Chambers

Partisan control of state senates prior to the 2016 election.

86 of the nation's 99 state legislatures chambers will hold elections

In 43 of the 50 state senates, 1,210 seats will be up for election. In 43 of the 49 state houses, 4,710 of the country's 5,411 state house seats (or 87% of the total) are up for election.





















Democrats control 14 state senates and Republicans control 36 state senates.

Partisan control of state houses prior to the 2016 election.

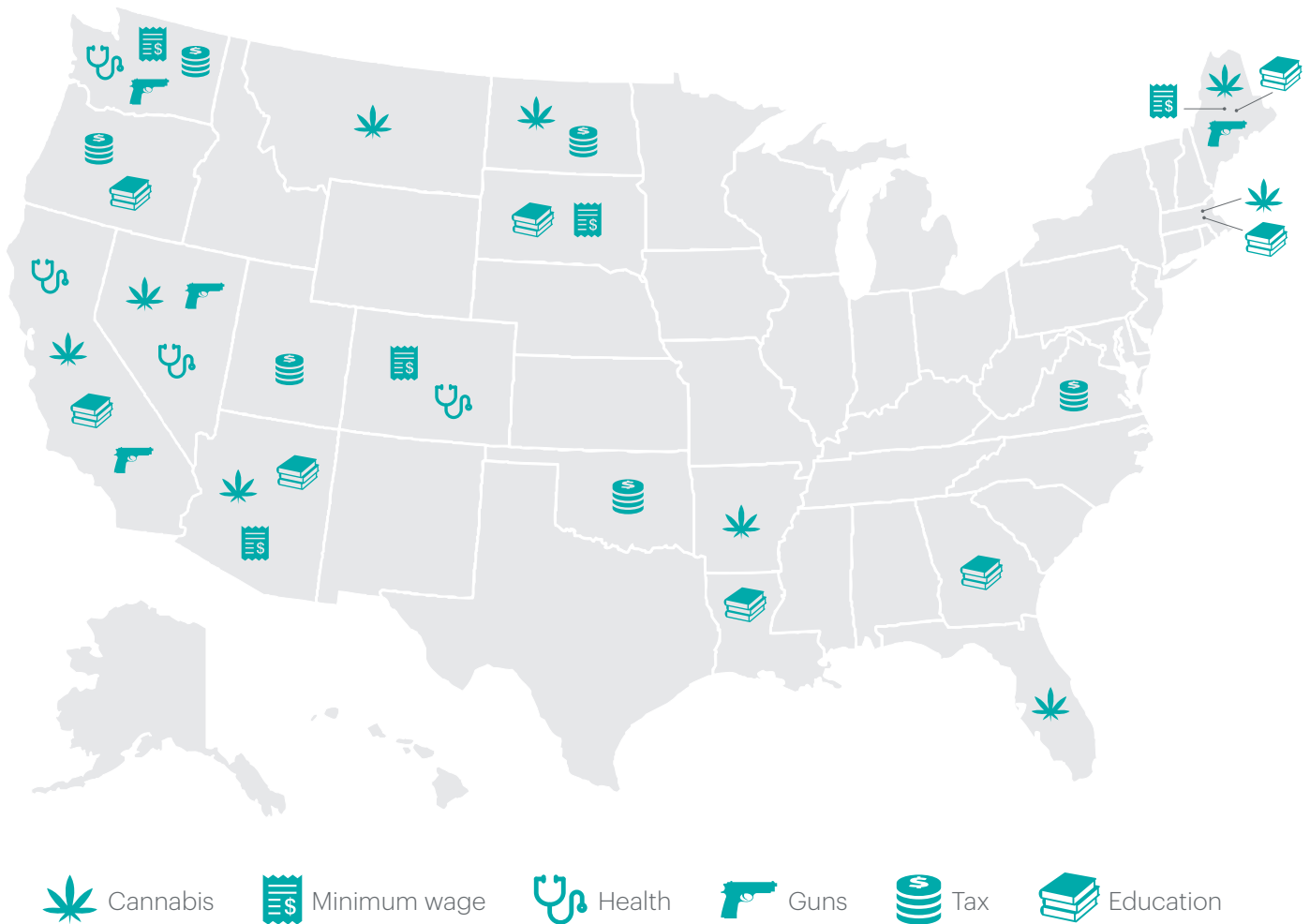
Democrats control 16 state houses and Republicans control 33 state houses

Heading into the 2016 elections, 30 states are controlled by a so called trifecta of one party control. Only 19 states have split control. Nebraska is a unique case in that the Governor is a Republican and the legislature, although technically nonpartisan, is controlled by the Republican majority.

Battleground states

Chamber	Seats	Control	Margin	% Margin
Colorado Senate	35		1	2.90%
Colorado House	65		3	4.60%
Iowa Senate	50		3	6.00%
Iowa House	100		14	14.00%
Kentucky House	100		6	6.00%
Maine Senate	35		5	14.30%
Maine House	151		9	6.12%
Michigan House	110		16	14.60%
Minnesota Senate	67		11	16.40%
Minnesota House	134		12	9.00%
Nevada Senate	21		1	4.80%
New Hampshire Senate	24		4	16.70%
New Hampshire House	400		75	19%
New Mexico Senate	42		6	14.30%
New Mexico House	70		4	5.70%
New York Senate	63		1	1.60%
Washington Senate	49		1	2.00%
Washington House	98		2	2.00%
West Virginia Senate	34		2	5.90%
Wisconsin Senate	33		5	15.20%

Ballot



Overview

In 2016, 163 statewide ballot measures have been certified for the ballot in 35 states. Of the 163 measures, 8 were voted on in pre-November elections, leaving 157, 72 were put on the ballot by citizens through signature petitions, rather than by state legislatures. Of the 163 measures, 8 were voted on in pre-November elections, leaving 157 measures for statewide ballots in November. Low 2014 voter turnout lowered many states' signature requirements for 2016; more than twice as many citizen initiatives qualified for the ballot this year than in 2014.

- In 2016, 72 citizen initiatives were certified for the ballot; this is the highest number of citizen initiatives to go before voters since 2006

Marijuana - 82.0 million residents live in states that could loosen rules on marijuana in November.

Minimum wage - 21.6 million residents live in states that could increase minimum wages in November.

Gun control - 50.5 million residents could be subject to additional gun control regulations.

Tobacco - 51.4 million residents could see tobacco taxes increase after the November election.

Taxes - 123.3 million residents could see changes in tax policy in their states in November, including issues like tax increases, tax revenue allocation, and tax exemptions

Interesting and unusual

Porn actors in California could be required to wear condoms during filming if Proposition 60 is approved. Californians will also decide another measure to ban plastic shopping bags, which is on the ballot as Proposition 67. Electors in Maine will decide on an overhaul of their voting system.

Lame Duck

The election results will have a huge impact on the scope of the legislative agenda that the Congress considers during its lame duck session, as there is little that this Congress absolutely must pass before adjourning. There are only two legislative issues and one organizational issue that are virtually certain to be addressed in some manner on or before December 16 when Congress is currently scheduled to adjourn: a bill funding the federal government beyond December 9, an FY 2017 National Defense Authorization Act (NDAA) conference report that preserves Congress's record of passing an NDAA authorization each year; and the election of both House and Senate Leadership to serve for the next Congress (the 115th).

The Continuing Resolution (CR) that is currently funding the federal government's operations expires on December 9 and Congress must pass, and the President must sign, legislation that funds the federal government for all or a portion of FY 2017 beyond that date. Most Congressional Democrats and virtually all Congressional appropriators, regardless of party, support passage of an omnibus appropriations bill that would fund all elements of the federal government through September 30, 2017, the end of FY 2017. Reflecting the historical resistance of many Congressional Republicans to omnibus appropriations bills, House Speaker Paul Ryan opposes passage of an omnibus and instead has proposed passage of an unspecified number of so-called mini-buses that would combine some but not all of the individual appropriations bills in multiple packages.

The most conservative members of the House Republican Conference oppose passage of either an omnibus or multiple mini-buses and instead would punt FY 2017 funding issues to the new President and the next Congress by passing another short-term CR funding the government

through the beginning of March 2017. House Minority Leader Nancy Pelosi says that while she prefers passage of an omnibus, she is willing to consider passing multiple mini-buses so long as all of the individual appropriations bills are included in one of the mini-buses. However, Leader Pelosi is concerned that the Speaker's mini-bus strategy is actually intended to ensure that only a few individual appropriations bills are passed and the remainder of the federal government is funded through another CR. As House Appropriations Committee Chairman Hal Rogers is term-limited and Senate Minority Appropriations Committee Ranking Member Barbara Mikulski is retiring, most observers believe that the appropriators, in a coalition supported by virtually all Congressional Democrats, will pass, and the President will end up signing, an omnibus appropriations bill. If an omnibus is the legislative vehicle ultimately chosen, the open question will be how many legislative riders or other bills, if any, end up hitching a ride and being included in that omnibus.

Other bills likely to be considered include a Water Resources Development Act (WRDA), mine workers pension reform legislation and legislation intended to amend certain specific aspects of the legislation passed over the President's veto permitting suits by 9/11 victims against Saudi Arabia. The Senate could also take up some nominations including Merrick Garland's nomination to the Supreme Court and vacancies on the Federal Reserve Board and the Ex-Im Bank. Many of the committee chairs and ranking members for the next Congress also will be determined. Less likely, but still potential, candidates for lame duck consideration are a 21st Century Cures bill, a comprehensive energy bill, mental health reform legislation and "orphaned" tax extenders legislation. The TPP trade deal, a priority for President Obama, is unlikely to be considered.



































































Must do	Could do		Sometimes it snows in July
FY '17 Funding (Omni, or Mini Buses)	Comprehensive Energy Bill	Water Resources Development Act	Trans Pacific Partnership
National Defense Authorization Act (NDAA)	21st Century Cures	Mental Health // Criminal Sentencing Reform	"Orphaned" tax Extenders
Temporary Assistance for Needy Families (TANF)	Post Office Reauthorization	School Nutrition	Gerland Confirmation
	Mine Workers Pension Reform	Veterans Administration Reform	

Election night scorecard

Presidential race

State		State	
Alabama (9)		Montana (3)	
Alaska (3)		Nebraska (4)	
Arizona (11)		Nevada (6)	
Arkansas (6)		New Hampshire (4)	
California (55)		New Jersey (14)	
Colorado (9)		New Mexico (5)	
Connecticut (7)		New York (29)	
Delaware (3)		North Carolina (15)	
Florida (29)		North Dakota (3)	
Georgia (16)		Ohio (18)	
Hawaii (4)		Oklahoma (7)	
Idaho (4)		Oregon (7)	
Illinois (20)		Pennsylvania (20)	
Indiana (11)		Rhode Island (4)	
Iowa (6)		South Carolina (9)	
Kansas (6)		South Dakota (3)	
Kentucky (8)		Tennessee (11)	
Louisiana (8)		Texas (38)	
Maine (2)		Utah (6)	
Maryland (10)		Vermont (3)	
Massachusetts (11)		Virginia (13)	
Michigan (16)		Washington (12)	
Minnesota (10)		West Virginia (5)	
Mississippi (6)		Wisconsin (10)	
Missouri (10)		Wyoming(3)	
Total Clinton		Total Trump	
WINNER			

Senate

Incum		Challenger	
Kirk		Duckworth	
Johnson		Feingold	
Open Young		Bayh	
Open Masto		Heck	
Ayotte		Hassan	
Toomey		McGinty	
Burr		Ross	
Blunt		Kander	
Rubio		Murphy	
Open****		Run Off Dec. 3rd	
Bennet		Glenn	
Open** Harris		Sanchez	
Blumenthal		Carter	
Schatz		Carrol	
Open Van Hollen		Szeliga	
Schumer		Long	
Wyden		Callahan	
Leahy		Milne	
Murray		Vance	
McCain		Kirkpatrick	
Murkowski		Metcalfe	
Shelby		Crumpton	
Boozman		Eldridge	
Isakson		Barksdale	
Grassley		Judge	
Crapo		Sturgill	
Moran		Wiesner	
Paul		Gray	
Hoeven		Glassheim	
Lankford		Workman	
Scott		Dixon	
Thune		Williams	
Lee		Snow	
Portman		Strickland	

Election night scorecard

House

District	Incumbent		Challenger	
FL-10	OPEN Lowe	R	Demings	D
VA-04	OPEN Wade	R	McEachin	D
IA-01	Blum	R	Vernon	D
MN-02	OPEN Lewis	R	Craig	D
NH-01	Guinta	R	Shea-Porter	D
NV-04	Hardy	R	Kihuen	D
FL-13	Jolly	R	Crist	D
FL-02	OPEN Dartland	D	Dunn	R
FL-26	Curbelo	R	Garcia	D
IA-03	Young	R	Mowrer	D
IL-10	Dold	R	Schneider	D
ME-02	Poliquin	R	Cain	D
NV-03	OPEN Tarkanian	R	Rosen	D
NY-22	OPEN Tenney	R	Myers	D
NY-24	Katko	R	Deacon	D
WI-08	OPEN Gallagher	R	Nelson	D
NY-01	Zeldin	R	Throne-Holst	D
PA-08	OPEN Fitzpatrick	R	Santarsiero	D
CA-25	Knight	R	Caforio	D
NY-19	OPEN Faso	R	Teachout	D
AZ-01	OPEN O'Halleran	D	Babeu	D
FL-18	OPEN Perkins	D	Mast	R
NE-02	Ashford	D	Bacon	R
FL-07	Mica	R	Murphy	D
NJ-05	Garrett	R	Gotheimer	D
TX-23	Hurd	R	Gallego	D
CO-06	Coffman	R	Carroll	D
VA-10	Comstock	R	Bennett	D
CA-10	Denham	R	Eggman	D
CA-49	Issa	R	Applegate	D

District	Incum		Challenger	
NY-23	Reed	R	Plumb	D
CA-24	OPEN Carbajal	D	Fareed	R
CA-52	Peters	D	Gitsham	R
MD-06	Delaney	D	Hoeber	R
NY-25	Slaughter	D	Assini	R
NY-03	OPEN Suozzi	D	Martins	R
CA-07	Bera	D	Jones	R
MN-08	Nolan	D	Mills	R
CA 16	Costa	D	Tacherra	R
CA 3	Garamendi	D	Cleek	R
OR 5	Schrader	D	Willis	R
IN-09	OPEN Hollingsworth	R	Yoder	D
AK-AL	Young	R	Lindbeck	D
CO-03	Tipton	R	Schwartz	D
FL-27	Ros-Lehtinen	R	Fuhrman	D
IL-12	Bost	R	Baricevic	D
KS-03	Yoder	R	Sidie	D
MT-AL	Zinke	R	Juneau	D
NY-21	Stefanik	R	Derrick	D
PA-06	Costello	R	Parrish	D
PA-16	OPEN Smucker	R	Hartman	D
VA-05	OPEN Garrett	R	Dittmar	D
WA-08	Reichert	R	Ventrella	D
MI-07	Walberg	R	Driskell	D
AZ-02	McSally	R	Heinz	DC
CA-21	Valadao	R	Huerta	D
MN-03	Paulsen	R	Bonoff	D
UT-04	Love	R	Owens	D
MI-01	OPEN Bergman	R	Johnson	D
IL 13	Davis	R	Wicklund	D

Governor

ST	Incumbent		Challenger	
	(OPEN) John Carney	D	Colin Bonini	R
	Kate Brown	D	Bud Pierce	R
	Jay Inslee	D	Bill Bryant	R
	Steve Bullock	D	Greg Gianforte	R
	(OPEN) Chris Koster	D	Eric Greitens	R
	(OPEN) Colin Van Ostern	D	Chris Sununu	R

ST	Incumbent		Challenger	
	(OPEN) Sue Minter	D	Phil Scott	R
	(OPEN) Jim Justice	D	Bill Cole	R
	(OPEN) Eric Holcomb	R	John Gregg	D
	Pat McCrory	R	Roy Cooper	D
	(OPEN) Doug Burgum	R	Marvin Nelson	D
	Gary Herbert	R	Mike Weinoltz	D

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