

HOUSE BILL No. 2055

By Committee on Elections

Requested by Representative Waggoner

1-22

1 AN ACT concerning certain state offices; relating to the filling of a
2 vacancy in the offices of the state treasurer and the commissioner of
3 insurance; requiring appointment of a person of the same political party
4 as the incumbent; requiring senate confirmation of such appointment;
5 amending K.S.A. 25-101b and 40-106 and repealing the existing
6 sections.

7
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. K.S.A. 25-101b is hereby amended to read as follows: 25-
10 101b. At the general election held in 1978 and each four-~~(4)~~ years
11 thereafter, there shall be elected a treasurer for the state of Kansas, whose
12 term of office shall be four-~~(4)~~ years beginning on the second Monday in
13 January next succeeding such treasurer's election. In case of a vacancy in
14 such office, the governor shall appoint-~~some~~ a suitable person *who shall*
15 *be registered with the same political party as that of the state treasurer*
16 *elected at the immediately preceding election for such office, to serve for*
17 *the unexpired term and until a successor is elected and qualified. If the*
18 *state treasurer elected at the immediately preceding election for such*
19 *office was not registered with any political party, then the governor shall*
20 *appoint a suitable person to serve for the unexpired term and until a*
21 *successor is elected and qualified. Appointments by the governor under*
22 *this section shall be subject to confirmation by the senate as provided in*
23 *K.S.A. 75-4315b, and amendments thereto. Except as provided by K.S.A.*
24 *46-2601, and amendments thereto, no person appointed to the office of*
25 *state treasurer shall exercise any power, duty or function as state treasurer*
26 *until confirmed by the senate.*

27 Sec. 2. K.S.A. 40-106 is hereby amended to read as follows: 40-106.
28 At the general election held in 1978 and each four-~~(4)~~ years thereafter,
29 there shall be elected a commissioner of insurance for the state of Kansas,
30 whose term of office shall be four-~~(4)~~ years beginning on the second
31 Monday in January next succeeding such commissioner's election. In case
32 of a vacancy in such office the governor shall appoint-~~some~~ a suitable
33 person *who shall be registered with the same political party as that of the*
34 *commissioner of insurance elected at the immediately preceding election*
35 *for such office, to serve for the unexpired term and until a successor is*

1 elected and qualified. *If the commissioner of insurance elected at the*
2 *immediately preceding election for such office was not registered with any*
3 *political party, then the governor shall appoint a suitable person to serve*
4 *for the unexpired term and until a successor is elected and qualified.*
5 *Appointments by the governor under this section shall be subject to*
6 *confirmation by the senate as provided in K.S.A. 75-4315b, and*
7 *amendments thereto. Except as provided by K.S.A. 46-2601, and*
8 *amendments thereto, no person appointed to the office of commissioner of*
9 *insurance shall exercise any power, duty or function as commissioner of*
10 *insurance until confirmed by the senate.*

11 Sec. 3. K.S.A. 25-101b and 40-106 are hereby repealed.

12 Sec. 4. This act shall take effect and be in force from and after its
13 publication in the statute book.