

SENATE BILL No. 176

By Senator Pilcher-Cook

2-3

9 AN ACT concerning the state board of regents; relating to the election
10 of the members thereof; amending K.S.A. 25-101, 25-101a, 25-212,
11 25-617, 25-1116, 25-1118, 25-2503, 25-2505, 25-3905, 25-3906, 25-
12 4001, 25-4153, 25-4304 and 74-3202a and K.S.A. 2008 Supp. 25-205,
13 25-213, 25-611, 25-3107, 25-3902a and 25-4119f and repealing the
14 existing sections.
15

16 *Be it enacted by the Legislature of the State of Kansas:*

17 New Section 1. Sections 2 through 12, and amendments thereto,
18 shall be known and may be cited as the state board of regents election
19 act.

20 New Sec. 2. Unless the context otherwise requires, as used in the
21 state board of regents election act:

22 (a) "State board" means the state board of regents.

23 (b) "Board member" or "member" means a member of the state
24 board of regents.

25 (c) "Board member position" means one of the numbered positions
26 used to identify the members of the state board of regents.

27 (d) "Board member district" or "member district" means one of the
28 four districts from which two board members are elected.

29 (e) "Chairperson" means the chairperson of the state board of re-
30 gents, who shall be elected on a statewide basis.

31 (f) Except as provided by the board of regents election act, words
32 and phrases used in this act shall have the meanings ascribed thereto by
33 article 25 of chapter 25 of the Kansas Statutes Annotated.

34 New Sec. 3. In accordance with section 3 of article 6 of the consti-
35 tution of the state of Kansas, the state of Kansas is divided into four state
36 board of regents member districts.

37 New Sec. 4. The congressional districts referred to in sections 5
38 through 8, and amendments thereto, are those congressional districts es-
39 tablished by K.S.A. 2008 Supp. 4-139 through 4-142, and amendments
40 thereto.

41 New Sec. 5. State board of regents member district 1 shall consist
42 of congressional district 1.

43 New Sec. 6. State board of regents member district 2 shall consist

1 of congressional district 2.

2 New Sec. 7. State board of regents member district 3 shall consist
3 of congressional district 3.

4 New Sec. 8. State board of regents member district 4 shall consist
5 of congressional district 4.

6 New Sec. 9. The primary and general elections of members of the
7 state board shall be held at the same time as other primary and general
8 elections of state officers, and the first such election shall be in the year
9 2010.

10 New Sec. 10. (a) A person may become a candidate for election to
11 the office of state board member from a board member district by either
12 one of the methods provided in this section. (1) Any person who is an
13 elector of any board member district may petition to be a candidate for
14 member of the state board from the board member district in which such
15 person resides. Any such person shall file with the secretary of state a
16 petition for the candidacy of such person signed by not less than 200
17 electors residing in such board member district. (2) Any person who is
18 an elector of any board member district may become a candidate for
19 member of the state board from the board member district in which such
20 candidate resides by filing in the office of the secretary of state a decla-
21 ration of intent to be such a candidate and payment of a filing fee in the
22 amount of \$25.

23 (b) A person may become a candidate for election to the office of
24 chairperson of the state board by: (1) Filing nomination petitions in the
25 same manner and subject to the same requirements for nominating pe-
26 titions of other candidates for state officers elected on a statewide basis
27 as provided in K.S.A. 25-205, and amendments thereto; or (2) filing in
28 the office of the secretary of state a declaration of intent to be such a
29 candidate and payment of a filing fee in the amount required of other
30 candidates for state officers elected on a statewide basis as provided in
31 K.S.A. 25-206, and amendments thereto.

32 (c) Any petition or declaration of intent filed by a candidate to run in
33 the primary election held in accordance with K.S.A. 25-203, and amend-
34 ments thereto, shall be filed no later than 12:00 noon, June 10, prior to
35 such primary election, or if such date falls on Saturday, Sunday or a hol-
36 iday, then before 12:00 noon of the next following day that is not a Sat-
37 urday, Sunday or a holiday. Any petition or declaration of intent filed by
38 an independent candidate for the office of state board member or chair-
39 person shall be filed no later than 12:00 noon on the Monday preceding
40 the date fixed for the holding of primary elections in accordance with
41 K.S.A. 25-203, and amendments thereto.

42 New Sec. 11. Laws applicable to the election of other state officers
43 shall apply to elections of members and chairperson of the state board to

1 the extent that the same are not in conflict with the state board of edu-
2 cation election act.

3 New Sec. 12. (a) Except as provided by this section, the regular term
4 of office of members and chairperson of the state board shall be four
5 years. Regular terms shall commence on the second Monday in January
6 following election of the state board member or chairperson.

7 (b) At the election held in the year 2010: (1) One person elected from
8 each member district shall be elected for a term ending on the second
9 Monday in January in 2013; and (2) one person from each member district
10 and the chairperson shall be elected for terms ending on the second
11 Monday in January in 2015.

12 (c) Any member elected after the year 2010 shall be elected for a
13 four-year term, unless such election is to fill the unexpired term where a
14 vacancy has occurred on the board, in which case the member shall be
15 elected for the two years remaining of the unexpired term.

16 (d) Persons appointed to fill a vacancy in a board member position
17 shall serve from time of appointment until the second Monday in January
18 next following the election of a member to that board member position.
19 Vacancies in the office of chairperson shall be filled in the same manner
20 that vacancies in the office of state treasurer are filled.

21 Sec. 13. K.S.A. 25-101 is hereby amended to read as follows: 25-101.
22 On the Tuesday succeeding the first Monday in November of each even-
23 numbered year, there shall be held a general election to elect officers as
24 follows:

25 At each alternate election, prior to the year in which the term of office
26 of the president and vice-president of the United States will expire, there
27 shall be elected the electors of president and vice-president of the United
28 States to which the state may be entitled at the time of such election;

29 at each such election, when the term of a United States senator for this
30 state shall expire during the next year, there shall be elected a United
31 States senator;

32 at each such election there shall be elected the representatives in con-
33 gress to which the state may be entitled at the time of such election;

34 at each alternate election, prior to the year in which their regular terms
35 of office will expire, there shall be elected a governor, lieutenant gover-
36 nor, secretary of state, attorney general, state treasurer ~~and~~, state com-
37 missioner of insurance *and chairperson of the board of regents*;

38 at each such election there shall be elected such members of the state
39 board of education as provided by law;

40 *at each such election there shall be elected such members of the state*
41 *board of regents as provided by law*;

42 at each such election, when, in a judicial district in which judges of the
43 district court are elected, the term of any district judge expires during

1 the next year, or a vacancy in a district judgeship has been filled by ap-
2 pointment more than 30 days prior to the election, there shall be elected
3 a district judge of such judicial district;

4 at each such election, when, in a judicial district in which judges of the
5 district court are elected, the term of any district magistrate judge expires
6 during the next year, or a vacancy in a district magistrate judgeship has
7 been filled by appointment more than 30 days prior to the election, there
8 shall be elected a district magistrate judge of such judicial district;

9 at each alternate election, prior to the year in which the regular term
10 of office of state senators shall expire, there shall be elected a state senator
11 in each state senatorial district;

12 at each election there shall be elected a representative from each state
13 representative district;

14 at each alternate election there shall be elected, in each county, a
15 county clerk, county treasurer, register of deeds, county or district attor-
16 ney, sheriff and such other officers as provided by law;

17 at each alternate election, in counties that may by law be entitled to
18 elect such officer, there shall be elected a county surveyor;

19 at each election, when the term of county commissioner in any district
20 in any county shall expire during the next year, there shall be elected from
21 such district a county commissioner.

22 This section shall apply to the filling of vacancies only so far as is con-
23 sistent with the provisions of law relating thereto.

24 Sec. 14. K.S.A. 25-101a is hereby amended to read as follows: 25-
25 101a. On the Tuesday succeeding the first Monday in November in 1978,
26 and each four (4) years thereafter, there shall be elected a governor and
27 lieutenant governor running together, a secretary of state, an attorney
28 general, a state treasurer ~~and~~, a state commissioner of insurance *and a*
29 *chairperson of the state board of regents.*

30 Sec. 15. K.S.A. 2008 Supp. 25-205 is hereby amended to read as
31 follows: 25-205. (a) Except as otherwise provided in this section, the
32 names of candidates for national, state, county and township offices shall
33 be printed upon the official primary ballot when each shall have qualified
34 to become a candidate by one of the following methods and none other:
35 (1) They shall have had filed in their behalf, not later than 12:00 noon,
36 June 10, prior to such primary election, or if such date falls on Saturday,
37 Sunday or a holiday, then before 12:00 noon of the next following day
38 that is not a Saturday, Sunday or a holiday, nomination petitions, as pro-
39 vided for in this act, ~~except that in 1998, candidates for judge or district~~
40 ~~magistrate judge of the district court for positions created in 1998 in those~~
41 ~~judicial districts that have not approved the proposition of nonpartisan~~
42 ~~selection of judges of the district court shall have filed in their behalf, not~~
43 ~~later than 12:00 noon, July 1, 1998, nomination petitions, as provided for~~

1 ~~in this act~~; or (2) they shall have filed not later than the time for filing
2 nomination petitions, as above provided, with the proper officer a dec-
3 laration of intention to become a candidate, accompanied by the fee re-
4 quired by law. Such declaration shall be prescribed by the secretary of
5 state.

6 (b) Nomination petitions shall be in substantially the following form:

7 I, the undersigned, an elector of the county of _____, and state of Kansas, and
8 a duly registered voter, and a member of _____ party, hereby nominate _____,
9 who resides in the township of _____ (or at number _____ on _____
10 street, city of _____), in the county of _____ and state of Kansas, as a
11 candidate for the office of (here specify the office) _____, to be voted for at the
12 primary election to be held on the first Tuesday in August in _____, as representing
13 the principles of such party; and I further declare that I intend to support the candidate
14 herein named and that I have not signed and will not sign any nomination petition for any
15 other person, for such office at such primary election.

16 (HEADING)

17	Name of	Street Number	Name of	Date of
18	Signers.	or Rural Route	City.	Signing.
19		(as registered).		

20 All nomination petitions shall have substantially the foregoing form,
21 written or printed at the top thereof. No signature shall be counted unless
22 it is upon a sheet having such written or printed form at the top thereof.

23 (c) Each signer of a nomination petition shall sign but one such pe-
24 tition for the same office, and shall declare that such person intends to
25 support the candidate therein named, and shall add to such person's sig-
26 nature and residence, if in a city, by street and number (if any); or, oth-
27 erwise by post-office address. No signature shall be counted unless the
28 place of residence of the signer is clearly indicated and the date of signing
29 given as herein required and if ditto marks are used to indicate address
30 they shall be continuous and clearly made. Such sheets shall not be cut
31 or pasted together.

32 (d) All signers of each separate nomination petition shall reside in the
33 same county and election district of the office sought. The affidavit de-
34 scribed in this paragraph of a petition circulator who is a resident of the
35 state of Kansas and has the qualifications of an elector in the state of
36 Kansas or of the candidate shall be appended to each petition and shall
37 contain, at the end of each set of documents carried by each circulator,
38 a verification, signed by the circulator or the candidate, to the effect that
39 such circulator or the candidate personally witnessed the signing of the
40 petition by each person whose name appears thereon.

41 (e) Except as otherwise provided in subsection (g), nomination peti-
42 tions shall be signed:

43 (1) If for a state officer elected on a statewide basis or for the office

1 of United States senator, by voters equal in number to not less than 1%
2 of the total of the current voter registration of the party designated in the
3 state as compiled by the office of the secretary of state;

4 (2) If for a state or national officer elected on less than a statewide
5 basis, by voters equal in number to not less than 2% of the total of the
6 current voter registration of the party designated in such district as com-
7 piled by the office of the secretary of state, except that for the office of
8 district magistrate judge, by not less than 2% of the total of the current
9 voter registration of the party designated in the county in which such
10 office is to be filled as certified to the secretary of state in accordance
11 with K.S.A. 25-3302, and amendments thereto;

12 (3) If for a county office, by voters equal in number to not less than
13 3% of the total of the current voter registration of the party designated
14 in such district or county as compiled by the county election officer and
15 certified to the secretary of state in accordance with K.S.A. 25-3302, and
16 amendments thereto; and

17 (4) If for a township office, by voters equal in number to not less than
18 3% of the total of the current voter registration of the party designated
19 in such township as compiled by the county election officer and certified
20 to the secretary of state in accordance with K.S.A. 25-3302, and amend-
21 ments thereto.

22 (f) Subject to the requirements of K.S.A. 25-202, and amendments
23 thereto, any political organization filing nomination petitions for a major-
24 ity of the state or county offices, as provided in this act, shall have a
25 separate primary election ballot as a political party and, upon receipt of
26 such nomination petitions, the respective officers shall prepare a separate
27 state and county ballot for such new party in their respective counties or
28 districts thereof in the same manner as is provided for existing parties.

29 (g) In any year in which districts are reapportioned for the offices of
30 representative in the United States congress, senator and representative
31 in the legislature of the state of Kansas or member of the state board of
32 education:

33 (1) If new boundary lines are defined and districts established in the
34 manner prescribed by law on or before May 10, nomination petitions for
35 nomination to such offices shall be signed by voters equal in number to
36 not less than 1% of the total of the current voter registration of the party
37 designated in the district as compiled by the office of the secretary of
38 state.

39 (2) If new boundary lines are defined and districts established in the
40 manner prescribed by law on or after May 11, nomination petitions for
41 nomination to the following offices shall be signed by registered voters
42 of the party designated in the district equal in number to not less than
43 the following:

1 (A) For the office of representative in the United States
2 congress 1,000 registered voters;
3 (B) *For the office of member of the state board of regents* 1000 registered voters;
4 (C) for the office of member of the state board of
5 education 300 registered voters;
6 ~~(D)~~ (D) for the office of state senator 75 registered voters; and
7 ~~(E)~~ (E) for the office of state representative 25 registered voters.
8 (h) In any year in which districts are reapportioned for the offices of
9 representative in the United States congress, senator and representative
10 in the legislature of the state of Kansas or member of the state board of
11 education:
12 (1) If new boundary lines are defined and districts established in the
13 manner prescribed by law on or before June 10, the deadline for filing
14 nomination petitions and declarations of intention to become a candidate
15 for such office, accompanied by the fee required by law, shall be 12:00
16 noon on June 24, or if such date falls on a Saturday, Sunday or a holiday,
17 then before 12:00 noon of the next following day that is not a Saturday,
18 Sunday or holiday.
19 (2) If new boundary lines are defined and districts established in the
20 manner prescribed by law on or after June 11, the deadline for filing
21 nomination petitions and declarations of intention to become a candidate
22 for such office, accompanied by the fee required by law, shall be 12:00
23 noon on July 12, or if such date falls on a Saturday, Sunday or holiday,
24 then before 12:00 noon of the next day that is not a Saturday, Sunday or
25 holiday.
26 Sec. 16. K.S.A. 25-212 is hereby amended to read as follows: 25-212.
27 In case there are nomination petitions or declarations of intention to
28 become a candidate on file for more than one candidate or for more than
29 one pair of candidates for governor and lieutenant governor, of the same
30 party for any national or state office, the secretary of state shall divide the
31 state or appropriate part thereof, into as many divisions as there are names
32 to go on such party ballot for that office. Such divisions shall be as nearly
33 equal in number of members of such party as is convenient without di-
34 viding any one county. In making such division the secretary of state shall
35 take the alphabetical list of counties in regular order until the secretary
36 of state gets the required proportion of party members of such party
37 based upon the party affiliation lists as shown by the certificates of the
38 respective county election officers, and so on through the list of counties
39 until the secretary of state gets the proper proportion of party members
40 in each division. The secretary of state shall also take the alphabetical list
41 of candidates or pairs of candidates in regular order and in certifying to
42 the county election officer the list of names for whom nomination peti-
43 tions or declarations of intent to become a candidate have been filed,

1 shall place one name or pair of candidates at the head of the list in the
 2 first division of counties, another in the second division, and so on with
 3 all the candidates for any particular office, so that every candidate or pair
 4 of candidates for any office shall be at the head of the list in one division
 5 of the state and second in another division thereof, and so forth. When,
 6 in the case of candidates for the office of congressman, district judge,
 7 district magistrate judge, state senator, state representative, *state board*
 8 *of regents member* or state board of education member, the secretary of
 9 state finds that the secretary of state cannot get a fair proportion of party
 10 members to give each candidate for congressman, district judge, district
 11 magistrate judge, state senator, state representative or state board of ed-
 12 ucation member in any given district an equitable or fair opportunity to
 13 have the candidate's name first on the ballot in the respective counties of
 14 the district, the secretary of state shall order the county election officers
 15 in the various counties of the district to rotate the names of the candidates
 16 for such district offices according to precinct. If voting machines are used
 17 the arrangement of names of candidates or pair of candidates for all of-
 18 fices on the voting machines shall be rotated, as near as may be, according
 19 to precinct.

20 The arrangement of the names certified by the secretary of state shall
 21 govern the county election officer in arranging the primary election ballot,
 22 and the county election officer in preparing the ballot for such officer's
 23 county shall follow the same arrangement as provided in this section for
 24 the secretary of state, for the candidates nominated for county offices,
 25 using the township and precincts of the county in making the division.

26 Sec. 17. K.S.A. 2008 Supp. 25-213 is hereby amended to read as
 27 follows: 25-213. At all national and state primary elections, the national
 28 and state offices as specified for each in this section shall be printed upon
 29 the official primary election ballot for national and state offices and the
 30 county and township offices as specified for each in this section shall be
 31 printed upon the official primary election ballot for county and township
 32 offices. The official primary election ballots shall have the following head-
 33 ing:

34 **OFFICIAL PRIMARY ELECTION BALLOT**

35 _____ Party

36 To vote for a person whose name is printed on the ballot make a cross
 37 or check mark in the square at the left of the person's name. To vote for
 38 a person whose name is not printed on the ballot, write the person's name
 39 in the blank space, if any is provided, and make a cross or check mark in
 40 the square to the left.

41 The words national and state or the words county and township shall
 42 appear on the line preceding the part of the form shown above.

43 The form shown shall be followed by the names of the persons for

1 whom nomination petitions or declarations have been filed according to
2 law for political parties having primary elections, and for the national and
3 state offices in the following order: United States senator, United States
4 representative from _____ district, governor and lieutenant governor, sec-
5 retary of state, attorney general, state treasurer, commissioner of insur-
6 ance, *chairperson of the state board of regents*, senator _____ district,
7 representative _____ district, district judge _____ district, district magis-
8 trate judge _____ district, district attorney _____, judicial district, *member*
9 *of the state board of regents* and member state board of education
10 _____ district. For county and township offices the form shall be followed
11 by the names of persons for whom nomination petitions or declarations
12 have been filed according to law for political parties having primary elec-
13 tions in the following order: commissioner _____ district, county clerk,
14 treasurer, register of deeds, county attorney, sheriff, township trustee,
15 township treasurer, township clerk. When any office is not to be elected,
16 it shall be omitted from the ballot. Other offices to be elected but not
17 listed, shall be inserted in the proper places. For each office there shall
18 be a statement of the number to vote for.

19 To the left of each name there shall be printed a square. Official pri-
20 mary election ballots may be printed in one or more columns. The names
21 certified by the secretary of state or county election officer shall be
22 printed on official primary election ballots and no others. In case there
23 are no nomination petitions or declarations on file for any particular of-
24 fice, the title to the office shall be printed on the ballot followed by a
25 blank line with a square, and such title, followed by a blank line, may be
26 printed in the list of candidates published in the official paper. No blank
27 line shall be printed following any office where there are nomination
28 petitions or declarations on file for the office except following the offices
29 of precinct committeeman and precinct committeewoman. Except as oth-
30 erwise provided in this section, no person's name shall be printed more
31 than once on either the official primary election ballot for national and
32 state offices or the official primary election ballot for county and township
33 offices. No name that is printed on the official primary election ballot as
34 a candidate of a political party shall be printed or written in as a candidate
35 for any office on the official primary election ballot of any other political
36 party. If a person is a candidate for the unexpired term for an office, the
37 person's name may be printed on the same ballot as a candidate for the
38 next regular term for such office. The name of any candidate on the ballot
39 may be printed on the same ballot as such candidate and also as a can-
40 didate for precinct committeeman or committeewoman. No name that is
41 printed on the official primary election ballot for national and state offices
42 shall be printed or written in elsewhere on such ballot or on the official
43 primary election ballot for county and township offices except for precinct

1 committeeman or committeewoman. No name that is printed on the of-
2 ficial primary election ballot for county and township offices shall be
3 printed or written in on the official primary election ballot for national
4 and state offices or elsewhere on such county and township ballot except
5 for precinct committeeman or committeewoman.

6 No person shall be elected to the office of precinct committeeman or
7 precinct committeewoman where no nomination petitions or declarations
8 have been filed, unless the person receives at least five write-in votes. As
9 a result of a primary election, no person shall receive the nomination and
10 no person's name shall be printed on the official general election ballot
11 when no nomination petitions or declarations were filed, unless the per-
12 son receives votes equal in number to not less than 5% of the total of the
13 current voter registration designated in the state, county or district in
14 which the office is sought, as compiled by the office of the secretary of
15 state, except that a candidate for township office may receive the nomi-
16 nation and have such person's name printed on the ballot where no nom-
17 ination petitions or declarations have been filed if such candidate receives
18 three or more write-in votes. No such person shall be required to obtain
19 more than 5,000 votes.

20 Sec. 18. K.S.A. 2008 Supp. 25-611 is hereby amended to read as
21 follows: 25-611. (a) The arrangement of offices on the official general
22 ballot for national and state offices for those offices to be elected shall be
23 in the following order: Names of candidates for the offices of president
24 and vice-president, United States senator, United States representative
25 _____ district, governor and lieutenant governor running together, sec-
26 retary of state, attorney general, (and any other officers elected from the
27 state as a whole), state senator _____ district, state representative _____
28 district, district judge _____ district, district magistrate judge _____ dis-
29 trict, district attorney _____ judicial district, *state board of education*
30 *member _____ district, position No. _____* and state board of education
31 member _____ district.

32 (b) The arrangement of offices on the official general ballot for
33 county and township offices for those offices to be elected shall be in the
34 following order: Names of candidates for county commissioner _____ dis-
35 trict, county clerk, county treasurer, register of deeds, county attorney,
36 sheriff, township trustee, township treasurer, township clerk.

37 Sec. 19. K.S.A. 25-617 is hereby amended to read as follows: 25-617.
38 The secretary of state shall prescribe the ballot format but the state offices
39 part of the official general ballot for national and state offices shall follow
40 the national offices part substantially as is shown in this section.

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STATE OFFICES

To vote for the pair of candidates, make a cross or check mark in the square at the left of the names of the candidates for governor and lieutenant governor. To vote for persons for governor and lieutenant governor whose names are not printed on the ballot, write the names of such persons in the blank spaces and make a cross or check mark in the square to the left.

FOR GOVERNOR AND LIEUTENANT

GOVERNOR

Vote for One Pair

- Sam Jones, Wichita Republican
and Bob Smith, Arkansas City
 - Carol Johnson, Mahaska Democrat
and Roger Wright, Penalosa
 - _____
and
-

To vote for a person, make a cross or check mark in the square at the left of the person's name. To vote for a person whose name is not printed on the ballot, write the person's name in the blank space and make a cross or check mark in the square to the left.

FOR SECRETARY OF STATE

Vote for One

- ELIZABETH JUANITA MOORE, Zoomer Republican
 - RUSSEL ADAM, Topeka Democrat
 - JOAN SAYLOR, Goodland Prohibition
 - CHARLES(CHUCK)BROWNING, Kansas City Independent
Nomination
 - _____
-

FOR ATTORNEY GENERAL

Vote for One

- _____
- _____
- _____

(and continuing in like manner for any other officers elected from the state as a whole)

1 FOR STATE SENATOR
2 _____ DISTRICT
3 **Vote for One**
4 _____
5 _____
6 _____
7 _____

8 FOR STATE REPRESENTATIVE
9 _____ DISTRICT
10 **Vote for One**
11 _____
12 _____
13 _____
14 _____

15 FOR DISTRICT JUDGE
16 _____ DISTRICT
17 **Vote for One**
18 _____
19 _____
20 _____
21 _____

22 FOR DISTRICT MAGISTRATE JUDGE
23 _____ DISTRICT
24 **Vote for One**
25 _____
26 _____
27 _____
28 _____

29 FOR DISTRICT ATTORNEY
30 _____ JUDICIAL DISTRICT
31 **Vote for One**
32 _____
33 _____
34 _____
35 _____

36 FOR STATE BOARD OF EDUCATION MEMBER
37 _____ DISTRICT
38 **Vote for One**
39 _____
40 _____
41 _____
42 _____

1 FOR STATE BOARD OF REGENTS MEMBER
2 _____ DISTRICT, POSITION No. _____

3 **Vote for One**

4 _____
5 _____
6 _____
7 _____

8 When any office is not to be elected, it shall be omitted from the ballot.

9 When a voting machine does not provide sufficient space to accom-
10 modate the full names of the candidates for governor and lieutenant gov-
11 ernor, only the surname of such candidates shall be required to be printed
12 on the ballot label unless surnames of one or more of the candidates are
13 the same.

14 Sec. 20. K.S.A. 25-1116 is hereby amended to read as follows: 25-
15 1116. (a) "National election" means the election of members of the
16 United States house of representatives, members of the United States
17 senate and members of the United States presidential electoral college.

18 (b) "State election" means the election of state officers elected on a
19 statewide basis, members of the house of representatives and state sen-
20 ators, *members of the state board of regents*, members of the state board
21 of education, district judges, district magistrate judges and district attor-
22 neys.

23 (c) "County election" means the election of such county officers as
24 are provided by law to be elected.

25 (d) "City election" means the election of such city officers as are
26 provided by law to be elected.

27 (e) "School election" means the election of members of the governing
28 body of a school district or a community college.

29 Sec. 21. K.S.A. 25-1118 is hereby amended to read as follows: 25-
30 1118. (a) "National office" or "national officer" means the office of mem-
31 bers of the United States house of representatives, members of the
32 United States senate and members of the United States presidential elec-
33 toral college.

34 (b) "State office" or "state officer" means the state officers elected
35 on a statewide basis, members of the house of representatives and state
36 senators, *members of the state board of regents*, members of the state
37 board of education, district judges, district magistrate judges and district
38 attorneys.

39 (c) "County office" or "county officer" means such county officers as
40 are provided by law to be elected.

41 (d) "City office" or "city officer" means such city officers as are pro-
42 vided by law to be elected.

43 (e) "School office" or "school officer" means members of the gov-

1 erning body of any school district or community college.

2 Sec. 22. K.S.A. 25-2503 is hereby amended to read as follows: 25-
3 2503. (a) “National election” means the election of members of the
4 United States house of representatives, members of the United States
5 senate or members of the United States presidential electoral college.

6 (b) “State election” means the election of state officers elected on a
7 statewide basis, members of the house of representatives and state sen-
8 ators, *members of the state board of regents*, members of the state board
9 of education, district judges, district magistrate judges and district attor-
10 neys.

11 (c) “County election” means the election of such county officers as
12 are provided by law to be elected.

13 (d) “City election” means the election of such city officers as are
14 provided by law to be elected.

15 (e) “School election” means the election of members of the governing
16 body of a school district or a community college.

17 (f) “Township election” means the election of such township officers
18 as are provided by law to be elected.

19 (g) “Question submitted election” means any election at which a spe-
20 cial question is to be voted on by the electors of the state or a part of
21 them.

22 Sec. 23. K.S.A. 25-2505 is hereby amended to read as follows: 25-
23 2505. (a) “National office” or “national officer” means the office or mem-
24 bers of the United States house of representatives, members of the
25 United States senate and members of the United States presidential elec-
26 toral college.

27 (b) “State office” or “state officer” means the state officers elected
28 on a statewide basis, members of the house of representatives and state
29 senators, *members of the state board of regents*, members of the state
30 board of education, district judges, district magistrate judges and district
31 attorneys.

32 (c) “County office” or “county officer” means such county officers as
33 are provided by law to be elected.

34 (d) “City office” or “city officer” means such city officers as are pro-
35 vided by law to be elected.

36 (e) “School office” or “school officer” means members of the gov-
37 erning body of any school district or community college.

38 (f) “Township office” or “township officer” means the trustee, trea-
39 surer and clerk of a township.

40 Sec. 24. K.S.A. 2008 Supp. 25-3107 is hereby amended to read as
41 follows: 25-3107. (a) At the time of commencement of any canvass by the
42 county board of canvassers the county election officer shall present to the
43 county board of canvassers the preliminary abstracts of election returns,

1 together with the ballots and records returned by the election boards.
2 The county board of canvassers shall inspect and check the records pre-
3 sented by the county election officer and shall hear any questions which
4 the county election officer believes appropriate for determination of the
5 board. The county board of canvassers shall do what is necessary to obtain
6 an accurate and just canvass of the election and shall finalize the prelim-
7 inary abstract of election returns by making any needed changes, and
8 certifying its authenticity and accuracy. The certification of the county
9 board of canvassers shall be attested by the county election officer. Nei-
10 ther the county board of canvassers nor the county election officer shall
11 open or unseal sacks or envelopes of ballots, except as is required by
12 K.S.A. 25-409, 25-1136 and 25-1337, and amendments thereto, or other
13 specific provision of law or as is authorized to carry out a recount under
14 subsection (b).

15 (b) If a majority of the members of the county board of canvassers
16 shall determine that there are manifest errors appearing on the face of
17 the poll books of any election board, which might make a difference in
18 the result of any election, or if any candidate shall request the recount of
19 the ballots cast in all or in only specified voting areas for the office for
20 which such person is a candidate, or if any registered elector who cast a
21 ballot in a question submitted election requests a recount in all or only
22 specified voting areas to determine the result of the election, the county
23 board of canvassers shall cause a special election board appointed by the
24 county election officer to meet under the supervision of the county elec-
25 tion officer and recount the ballots with respect to any office or question
26 submitted specified by the county board of canvassers or requested by
27 such candidate or elector. If a recount is required in a county that uses
28 optical scanning systems as defined in K.S.A. 25-4601 et seq., and amend-
29 ments thereto, or electronic or electromechanical voting systems, as de-
30 fined in K.S.A. 25-4401, and amendments thereto, the method of con-
31 ducting the recount shall be at the discretion of the person requesting
32 such recount. The county election officer shall not be a member of such
33 special election board. Before the special election board meets to recount
34 the ballots upon a properly filed request, the party who makes the request
35 shall file with the county election officer a bond, with security to be ap-
36 proved by the county or district attorney, conditioned to pay all costs
37 incurred by the county in making such recount. In the event that the
38 candidate requesting the recount is declared the winner of the election
39 as a result of the recount, or if as a result of the recount a question
40 submitted is overturned, no action shall be taken on the person's bond
41 and the county shall bear the costs incurred for the recount. Any recount
42 must be requested in writing and filed with the county election officer
43 not later than 12:00 noon on the Monday following the election or, if the

1 canvass is held on Monday, not later than 5:00 p.m. on the Tuesday next
2 following the election. The request shall specify which voting areas are
3 to be recounted. The county election officer shall immediately notify any
4 candidate involved in the election for which such recount is requested,
5 or shall notify the county chairperson of each candidate's party. Any such
6 recount shall be initiated not later than the following day and shall be
7 completed not later than 5:00 p.m. on Friday of such week or, if the
8 recount request is made on the Tuesday after the election because of a
9 Monday canvass, not later than 5:00 p.m. the next following Monday.
10 Upon completion of any recount under this subsection, the election board
11 shall package and reseal the ballots as provided by law and the county
12 board of canvassers shall complete its canvass. The members of the special
13 election board shall be paid as prescribed in K.S.A. 25-2811, and amend-
14 ments thereto, for time actually spent making the recount.

15 (c) (1) The provisions of this subsection shall apply to candidates at
16 any election for:

- 17 (A) Any state or national office elected on a statewide basis;
- 18 (B) the office of president or vice president of the United States;
- 19 (C) the office of members of United States house of representatives;
- 20 (D) office of members of state senate or house of representative
21 whose district is located in two or more counties; ~~and~~
- 22 (E) *office of members of the state board of regents; and*
- 23 (F) office of members of state board of education.

24 (2) Any candidate may request a recount in one or more counties.
25 Any such recount must be requested in writing and filed with the sec-
26 retary of state not later than 12:00 noon on the Monday following the
27 election or, if the canvass in one or more counties in the district is held
28 on Monday, not later than 5:00 p.m. on the Tuesday next following the
29 election. The request shall specify which counties are to be recounted. If
30 a recount is required in a county that uses optical scanning systems as
31 defined in K.S.A. 25-4601, and amendments thereto, or electronic or
32 electromechanical voting systems, as defined in K.S.A. 25-4401, and
33 amendments thereto, the method of conducting the recount shall be at
34 the discretion of the person requesting such recount. Except as provided
35 by this subsection and subsection (d), the person requesting the recount
36 shall file with the secretary of state a bond, with security to be approved
37 by the secretary of state, conditioned to pay all costs incurred by the
38 counties and the secretary of state in making such recount. The amount
39 of the bond shall be determined by the secretary of state. A candidate
40 described in paragraphs (D) and (E) of subsection (c)(1) may post a bond
41 as provided by subsection (b) in lieu of the bond required by this sub-
42 section. In the event that the candidate requesting the recount is declared
43 the winner of the election as a result of the recount, no action shall be

1 taken on the candidate's bond and the counties shall bear the costs in-
2 curred for the recount.

3 (3) The secretary of state immediately shall notify each county elec-
4 tion officer affected by the recount and any candidate involved in the
5 election for which such recount is requested. If the candidate cannot be
6 reached, then the secretary of state shall notify the state chairperson of
7 such candidate's party. Any such recount shall be conducted under the
8 supervision of the county election officers at the direction of the secretary
9 of state, and shall be initiated not later than the following day and shall
10 be completed not later than 5:00 p.m. on Friday of such week or, if the
11 request is made on the Tuesday after the election because of a Monday
12 canvass, not later than 5:00 p.m. on the next following Monday. Each
13 county election officer involved in the recount shall appoint a special
14 election board to recount the ballots. The members of the special election
15 board shall be paid as prescribed in K.S.A. 25-2811 and amendments
16 thereto for time actually spent making the recount. Upon completion of
17 any recount under this subsection, the special election board in each
18 county shall package and reseal the ballots as provided by law and the
19 county board of canvassers shall complete its canvass. The county election
20 officer in each county immediately shall certify the results of the recount
21 to the secretary of state.

22 (d) (1) The provisions of this subsection shall apply to candidates at
23 general elections for:

- 24 (A) Any state or national office elected on a statewide basis;
25 (B) the office of president or vice president of the United States;
26 (C) the office of members of United States house of representatives;
27 (D) office of members of state senate or house of representative; ~~and~~
28 (E) *office of members of state board of regents; and*
29 (F) office of members of state board of education.

30 (2) Whenever the election returns reflect that a candidate for office
31 was defeated by one-half of one percent or less of the total number of
32 votes cast and if such candidate requests a recount in one or more coun-
33 ties of the ballots, the state shall bear the cost of any recount performed
34 using the method by which such ballots were counted originally.

35 (3) Not later than 60 days following a recount conducted pursuant to
36 this subsection, the board of county commissioners of each county in
37 which the recount occurred shall certify to the secretary of state the
38 amount of all necessary direct expenses incurred by the county. Payment
39 for such expenses shall be made to the county treasurer of the county
40 upon warrants of the director of accounts and reports pursuant to vouch-
41 ers approved by the secretary of state. Upon receipt of such payment and
42 reimbursements, the county treasurer shall deposit the entire amount
43 thereof in the county election fund, if there is one and if there is not then

1 to the county general fund.

2 (4) The secretary of state, with the advice of the director of accounts
3 and reports, shall determine the correctness of each amount certified
4 under this section and adjust any discrepancies discovered before ap-
5 proving vouchers for payment to any county.

6 Sec. 25. K.S.A. 2008 Supp. 25-3902a is hereby amended to read as
7 follows: 25-3902a. (a) When a vacancy occurs in the office of member of
8 the state board of education, *member of the state board of regents*, the
9 county chairperson designated in subsection (b), (c) or (d), within 21 days
10 of receipt of notice that a vacancy has occurred or will occur shall call
11 and convene a district convention for the purpose of electing a person to
12 be appointed by the governor to fill the vacancy. Such person shall be an
13 elector of the same political party as that of the board member vacating
14 such position and shall reside in the board member district corresponding
15 to such board member position. If such county chairperson is absent or
16 for any reason is unable to call or refuses to call such convention, ~~then~~
17 the county vice-chairperson shall call the convention and perform the
18 other duties required of such chairperson under this section.

19 (b) If the board member district lies within a single county, the
20 county chairperson of such county shall call a convention of all precinct
21 committeemen and committeewomen of the party of the precincts in such
22 district in the manner provided by subsections (b) and (d) of K.S.A. 25-
23 3902, and amendments thereto, and such convention shall be conducted
24 as provided in subsection (e).

25 (c) If all or part of more than one and less than five counties lie within
26 the board member district, the county chairperson of the county in which
27 the greatest number of qualified voters of the district reside shall call a
28 convention of all precinct committeemen and committeewomen of the
29 party of the precincts in such district in the manner provided by subsec-
30 tions (c) and (d) of K.S.A. 25-3902, and amendments thereto, and such
31 convention shall be conducted as provided in subsection (e). Such con-
32 vention shall be held at a location within the district selected by the chair-
33 person calling the convention.

34 (d) If all or part of five or more counties lie within the board member
35 district, the county chairperson of the county in which the greatest num-
36 ber of qualified voters of the district reside shall call a convention of all
37 county chairpersons and vice-chairpersons of the party of the counties in
38 such district. Such convention shall be held at a location within the district
39 selected by the chairperson calling the convention. Such county chair-
40 person shall call the convention by mailing a notice to each such county
41 chairperson and vice-chairperson, at least seven days before the date of
42 the convention. Such notice shall state: (1) The place where the conven-
43 tion is to be held; (2) the time when the convention will convene; and (3)

1 the purpose for which the convention is to be held, and such convention
2 shall be conducted as provided in subsection (e).

3 (e) At the time and place fixed for holding the convention, the county
4 chairperson who called the convention shall act as temporary chairperson
5 and shall call the convention to order. One-third of the eligible members
6 of the convention shall constitute a quorum for such election. In the event
7 a quorum is not present at the time and place that such convention is
8 called, the members present shall adjourn the convention to a day and
9 time certain, which shall be not later than 14 days after adjournment of
10 such convention, and provide for notification of the time and place of
11 such adjourned convention to be given to the eligible members not pres-
12 ent. The convention shall proceed to organize by electing a permanent
13 chairperson and such other officers as necessary. After the convention is
14 organized, it shall proceed to elect a person to be appointed by the gov-
15 ernor to fill the vacancy. Such election shall be by secret ballot and the
16 person elected shall be the one who shall receive the majority of all the
17 votes cast. If no person receives a majority of all votes cast on any ballot,
18 the balloting shall continue until some person receives a majority of all
19 the votes cast. Each county chairperson and vice-chairperson of the party
20 of the counties in such district shall be entitled to vote. Except as provided
21 in subsection (f), no county chairperson or vice-chairperson shall be rep-
22 resented or shall vote by proxy. The convention may adopt such rules as
23 necessary to govern its procedure in making nominations, voting, counting
24 and canvassing votes and for the conduct of any business which may
25 properly be brought before the convention, but such rules shall not be in
26 conflict with the provisions of this section.

27 (f) (1) A precinct committeeman or committeewoman who serves as
28 county chairperson or vice-chairperson may vote by proxy at a convention
29 called pursuant to this section whenever such precinct committeeman or
30 committeewoman is unable to attend the convention and cast such pre-
31 cinct committeeman's or committeewoman's ballot.

32 (2) A precinct committeeman or committeewoman may designate an-
33 other precinct committeeman or committeewoman to cast such precinct
34 committeeman's or precinct committeewoman's ballot at such convention
35 by proxy. Any proxy authorized by this subsection shall:

36 (A) Designate the precinct committeeman or committeewoman who
37 shall cast the precinct committeeman's or precinct committeewoman's
38 vote by proxy;

39 (B) be signed by the precinct committeeman or precinct committe-
40 woman authorizing the proxy; and

41 (C) contain an acknowledgment of such precinct committeeman's or
42 precinct committeewoman's signature which complies with K.S.A. 53-509
43 and amendments thereto.

1 (g) After a person has been elected to be appointed to fill a vacancy
2 in the office of member of the state board of education, the chairperson
3 or vice-chairperson of the convention shall execute a certificate, under
4 oath, stating that such person has been duly elected to be appointed to
5 fill such vacancy and shall transmit such certificate to the governor. There-
6 upon, and not later than seven days after such certificate is received in
7 the office of the governor, the governor, or in the governor's absence the
8 lieutenant governor, shall fill such vacancy by appointing to the office of
9 member of the state board of education the person so elected. In the
10 event the governor or lieutenant governor fails to appoint any person as
11 required by this subsection after receiving a lawfully executed certificate
12 hereunder, such person shall be deemed to have been so appointed not-
13 withstanding such failure. The person so appointed may qualify and enter
14 upon the duties of office immediately after appointment.

15 (h) A person shall be elected to be appointed to fill a vacancy in the
16 office of member of the state board of education within 35 days after such
17 vacancy occurs. If no person is so elected within the 35-day period, the
18 governor shall fill such vacancy by appointment of an elector of the same
19 political party as that of the board member vacating such position and
20 who resides in the board member district corresponding to such board
21 member position. The person so appointed may qualify and enter upon
22 the duties of office immediately after appointment.

23 (i) *The chairperson of the state board of regents shall not be consid-*
24 *ered a member of the board for the purposes of this section.*

25 Sec. 26. K.S.A. 25-3905 is hereby amended to read as follows: 25-
26 3905. (a) When a vacancy occurs after a primary election in a party can-
27 didacy, such vacancy shall be filled by the party committee of the con-
28 gressional district, county or state, as the case may be, except if the
29 vacancy is in a party candidacy for a district office or for the office of
30 member of the state board of education *or for the office of member of the*
31 *state board of regents*, it shall be filled by district convention held as
32 provided in K.S.A. 25-3904, and amendments thereto, or as provided in
33 K.S.A. 25-3904a, and amendments thereto, and except as otherwise pro-
34 vided in subsection (c). Such convention shall be called within 10 days of
35 receipt of the notice that the vacancy has occurred or will occur. If only
36 one political party nominates a candidate at the primary election and
37 thereafter a vacancy occurs in such party candidacy, any political party
38 may fill such vacancy in the manner specified in this section.

39 (b) In addition to other vacancies in party candidacies to which this
40 section applies, this section shall also apply when a vacancy occurs in an
41 office, and it is provided by law that such vacancy shall be filled by ap-
42 pointment until the next general election at which time a person is to be
43 elected to fill the unexpired term, or words of like effect, and such vacancy

1 occurs after the primary election.

2 (c) When a vacancy occurs after a primary election in a party candi-
3 dacy for governor or lieutenant governor, a vacancy shall thereby also
4 occur for the other of such two offices. Such vacancies shall be filled by
5 a state party delegate convention. The convention shall be called by the
6 state party chairperson. The delegates to the convention shall be the state
7 party committee members, and the officers of the convention shall be the
8 officers of the state party committee. At such convention the vote to fill
9 such vacancies shall be taken such that each convention vote shall be for
10 a candidate for governor and lieutenant governor running together. If the
11 initial vacancy that has occurred is for the office of lieutenant governor,
12 the person who is the candidate for governor of such pair of candidates
13 shall be the only governor candidate at such convention.

14 Sec. 27. K.S.A. 25-3906 is hereby amended to read as follows: 25-
15 3906. (a) When a vacancy in a party candidacy for any national, state,
16 district or county elective office occurs under the circumstances specified
17 in this section, such vacancy shall be filled by the party committee of the
18 congressional district, county or state, as the case may be, except that if
19 such vacancy is in a party candidacy for a district office or for the office
20 of member of the state board of education *or for the office of member of*
21 *the state board of regents*, it shall be filled by district convention held as
22 provided in K.S.A. 25-3904, and amendments thereto, or as provided in
23 K.S.A. 25-3904a, and amendments thereto, and except as otherwise pro-
24 vided in subsection (d) and (e). Such convention shall be called within 10
25 days of notice that a vacancy has occurred or will occur.

26 (b) This section shall apply to any vacancy in a party candidacy which
27 occurs after the closing time for filing to be a candidate specified in K.S.A.
28 25-205, and amendments thereto, and prior to or on the day of the pri-
29 mary election, if such occurrence results in a political party not having a
30 primary candidate for such office.

31 (c) This section shall apply when a vacancy occurs in an office, and it
32 is provided by law that such vacancy shall be filled by appointment until
33 the next general election at which time a person is to be elected to fill
34 the unexpired term, or words of like effect, and such vacancy occurs
35 during the period specified in subsection (b).

36 (d) When a vacancy occurs during the period specified in subsection
37 (b) in a party candidacy for governor or lieutenant governor, and the
38 occurrence results in a political party not having a pair of primary can-
39 didates for governor and lieutenant governor, a vacancy shall thereby also
40 occur for the other of such two offices. Such vacancies shall be filled by
41 a state party delegate convention. The convention shall be called by the
42 state party chairperson. The delegates to the convention shall be the state
43 party committee members, and the officers of the convention shall be the

1 officers of the state party committee. At such convention the vote to fill
2 such vacancies shall be taken such that each convention vote shall be for
3 a candidate for governor and lieutenant governor running together. If the
4 initial vacancy that has occurred is for the office of lieutenant governor,
5 the person who is the candidate for governor of such pair of candidates
6 shall be the only governor candidate at such convention.

7 (e) When there is more than one pair of candidates for governor and
8 lieutenant governor of the same party, and a vacancy occurs during the
9 period specified in subsection (b) in a candidacy for lieutenant governor
10 of such party, and the occurrence results in a governor candidate not
11 having a lieutenant governor candidate, such vacancy shall be filled by
12 the candidate for governor of such pair of candidates designating a candi-
13 dinate for lieutenant governor to be the running mate.

14 Sec. 28. K.S.A. 25-4001 is hereby amended to read as follows: 25-
15 4001. The governor, lieutenant governor, secretary of state, attorney gen-
16 eral, state treasurer ~~and~~, commissioner of insurance *and chairperson of*
17 *the state board of regents* shall be elected for terms of four ~~(4)~~ years, to
18 begin on the second Monday of January next after their election, and until
19 their successors are elected and qualified.

20 Sec. 29. K.S.A. 2008 Supp. 25-4119f is hereby amended to read as
21 follows: 25-4119f. (a) In addition to any other fee required by law, every
22 person becoming a candidate for the following offices shall pay a fee at
23 the time of filing for such office in the amount prescribed by this section:

- 24 (1) Governor and lieutenant governor \$480;
- 25 (2) state offices elected by statewide election, other than the governor and
26 lieutenant governor \$480;
- 27 (3) state senator, state representative, *member of state board of regents, mem-*
28 *ber of state board of education, district attorney, board of public utilities of*
29 *the city of Kansas City and elected county offices* \$35;
- 30 and
- 31 (4) members of boards of education of unified school districts having 35,000
32 or more pupils regularly enrolled in the preceding school year, members of
33 governing bodies of cities of the first class and judges of the district court
34 in judicial districts in which judges are elected \$35.

35 (b) The secretary of state shall remit all fees received by that office
36 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
37 and amendments thereto. County election officers receiving fees in ac-
38 cordance with this section shall remit such fees to the county treasurer
39 of the county who shall quarterly remit the same to the state treasurer.
40 Upon receipt of each such remittance, the state treasurer shall deposit
41 the entire amount in the state treasury to the credit of the governmental
42 ethics commission fee fund.

43 Sec. 30. K.S.A. 25-4153 is hereby amended to read as follows: 25-

- 1 4153. (a) The aggregate amount contributed to a candidate and such
2 candidate's candidate committee and to all party committees and political
3 committees and dedicated to such candidate's campaign, by any political
4 committee or any person except a party committee, the candidate or the
5 candidate's spouse, shall not exceed the following:
- 6 (1) For the pair of offices of governor and lieutenant governor or for
7 other state officers elected from the state as a whole, \$2,000 for each
8 primary election (or in lieu thereof a caucus or convention of a political
9 party) and an equal amount for each general election;
- 10 (2) For the office of member of the house of representatives, district
11 judge, district magistrate judge, district attorney, *member of the state*
12 *board of regents*, member of the state board of education or a candidate
13 for local office, \$500 for each primary election (or in lieu thereof a caucus
14 or convention of a political party) and an equal amount for each general
15 election.
- 16 (3) For the office of state senator, \$1,000 for each primary election
17 (or in lieu thereof a caucus or convention of a political party) and an equal
18 amount for each general election.
- 19 (b) For the purposes of this section, the face value of a loan at the
20 end of the period of time allocable to the primary or general election is
21 the amount subject to the limitations of this section. A loan in excess of
22 the limits herein provided may be made during the allocable period if
23 such loan is reduced to the permissible level, when combined with all
24 other contributions from the person making such loan, at the end of such
25 allocable period.
- 26 (c) For the purposes of this section, all contributions made by une-
27 emancipated children under 18 years of age shall be considered to be
28 contributions made by the parent or parents of such children. The total
29 amount of such contribution shall be attributed to a single custodial par-
30 ent and 50% of such contribution to each of two parents.
- 31 (d) The aggregate amount contributed to a state party committee by
32 a person other than a national party committee or a political committee
33 shall not exceed \$15,000 in each calendar year; and the aggregate amount
34 contributed to any other party committee by a person other than a na-
35 tional party committee or a political committee shall not exceed \$5,000
36 in each calendar year.
- 37 The aggregate amount contributed by a national party committee to a
38 state party committee shall not exceed \$25,000 in any calendar year, and
39 the aggregate amount contributed to any other party committee by a
40 national party committee shall not exceed \$10,000 in any calendar year.
- 41 The aggregate amount contributed to a party committee by a political
42 committee shall not exceed \$5,000 in any calendar year.
- 43 (e) Any political funds which have been collected and were not sub-

1 ject to the reporting requirements of this act shall be deemed a person
2 subject to these contribution limitations.

3 (f) Any political funds which have been collected and were subject to
4 the reporting requirements of the campaign finance act shall not be used
5 in or for the campaign of a candidate for a federal elective office.

6 (g) The amount contributed by each individual party committee of
7 the same political party other than a national party committee to any
8 candidate for office, for any primary election at which two or more can-
9 didates are seeking the nomination of such party shall not exceed the
10 following:

11 (1) For the pair of offices of governor and lieutenant governor and
12 for each of the other state officers elected from the state as a whole,
13 \$2,000 for each primary election (or in lieu thereof a caucus or convention
14 of a political party);

15 (2) For the office of member of the house of representatives, district
16 judge, district magistrate judge, district attorney, *member of the state*
17 *board of regents*, member of the state board of education or a candidate
18 for local office, \$500 for each primary election (or in lieu thereof a caucus
19 or convention of a political party).

20 (3) For the office of state senator, \$1,000 for each primary election
21 (or in lieu thereof a caucus or convention of a political party).

22 (h) When a candidate for a specific cycle does not run for office, the
23 contribution limitations of this section shall apply as though the individual
24 had sought office.

25 (i) No person shall make any contribution or contributions to any
26 candidate or the candidate committee of any candidate in the form of
27 money or currency of the United States which in the aggregate exceeds
28 \$100 for any one primary or general election, and no candidate or can-
29 didate committee of any candidate shall accept any contribution or con-
30 tributions in the form of money or currency of the United States which
31 in the aggregate exceeds \$100 from any one person for any one primary
32 or general election.

33 Sec. 31. K.S.A. 25-4304 is hereby amended to read as follows: 25-
34 4304. (a) K.S.A. 25-4305 to 25-4317, inclusive, apply only to recall of the
35 governor, members of the legislature, any public officials elected by the
36 electors of the entire state, *members of the state board of regents* and
37 members of the state board of education. For the purpose of this act,
38 officers mentioned in this subsection are "state officers."

39 (b) The provisions of this act do not apply to any judicial officer.

40 (c) K.S.A. 25-4318 to 25-4331, inclusive, apply only to recall of all
41 elected public officials who are provided by law to be elected at an elec-
42 tion conducted by one or more county election officers, except those
43 officers specified in subsections (a) and (b). For the purpose of this act,

1 officers to which this subsection apply are “local officers.”

2 (d) Any person appointed or otherwise designated or elected to fill a
3 vacancy in an office to which subsection (a) applies shall be a state officer
4 for the purpose of this act. Any person appointed or otherwise designated
5 or elected to fill a vacancy in an office to which subsection (c) applies
6 shall be a local officer for the purpose of this act.

7 Sec. 32. K.S.A. 74-3202a is hereby amended to read as follows: 74-
8 3202a. (a) There is established the state board of regents. The state board
9 of regents shall be composed of nine members appointed by the governor,
10 subject to confirmation by the senate as provided in K.S.A. 75-4315b, and
11 amendments thereto. Except as provided by K.S.A. 46-2601, and amend-
12 ments thereto, no person appointed to the state board of regents shall
13 exercise any power, duty or function as a member of the state board until
14 confirmed by the senate. Each member shall hold office for a term of
15 four years, except as provided in subsection (b) for the first members
16 appointed to the state board, and until a successor is appointed and con-
17 firmed. Terms of members shall expire on June 30. No person shall serve
18 more than two terms of office as a member of the state board, except
19 that this limitation shall not include the first term of office of any person
20 appointed and qualified in accordance with subsection (b)(4).

21 (b) (1) One member of the state board of regents shall be a resident
22 of each congressional district with the remaining members appointed
23 from among all residents of Kansas, except that no two members shall
24 reside in the same county at the time of appointment. Subsequent redis-
25 tricting of congressional districts shall not disqualify any member of the
26 state board from service for the remainder of the member’s term of office.

27 (2) At no time shall more than five members of the state board of
28 regents be members of the same political party.

29 (3) At no time shall any person who is an elected official or an officer
30 or employee of any postsecondary educational institution be a member
31 of the state board of regents.

32 (4) The first members of the state board of regents established under
33 this section shall be appointed by the governor on or before July 1, 1999.
34 Of such members, three shall have a term of office of four years, three
35 shall have a term of office of three years, and three shall have a term of
36 office of two years.

37 (c) The members of the state board of regents shall meet and organ-
38 ize annually by electing one member as chairperson, except that the gov-
39 ernor shall designate the first chairperson of the state board from among
40 the first members appointed.

41 (d) Members of the state board of regents attending meetings of the
42 state board, or attending a subcommittee meeting thereof authorized by
43 the state board, shall be paid compensation, subsistence allowances, mile-

1 age and other expenses as provided in K.S.A. 75-3212, and amendments
2 thereto, for members of the legislature.

3 *(e) The provisions of this section shall expire on January 9, 2011.*

4 New Sec. 33. (a) From and after January 10, 2011, the state board
5 of regents shall be composed of nine members. Eight members of the
6 board shall be elected from member districts and the chairperson shall
7 be elected on a statewide basis as provided in the state board of regents
8 election act.

9 (b) Members of the state board of regents attending meetings of the
10 state board, or attending a subcommittee meeting thereof authorized by
11 the state board, shall be paid compensation, subsistence allowances, mile-
12 age and other expenses as provided in K.S.A. 75-3212, and amendments
13 thereto, for members of the legislature.

14 (c) The terms of the members of the board of regents appointed prior
15 to the January 10, 2011 shall expire on such date.

16 New Sec. 34. Vacancies in the office of the chairperson of the state
17 board of regents shall be filled in the same manner that vacancies in the
18 office of state treasurer are filled.

19 Sec. 35. K.S.A. 25-101, 25-101a, 25-212, 25-617, 25-1116, 25-1118,
20 25-2503, 25-2505, 25-3905, 25-3906, 25-4001, 25-4153, 25-4304 and 74-
21 3202a and K.S.A. 2008 Supp. 25-205, 25-213, 25-611, 25-3107, 25-3902a
22 and 25-4119f are hereby repealed.

23 Sec. 36. This act shall take effect and be in force from and after its
24 publication in the statute book.