

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.

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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.