

Substitute for SENATE BILL No. 249

By Committee on Federal and State Affairs

1-24

1 AN ACT concerning the offices of the state treasurer, the commissioner of
2 insurance and the lieutenant governor; relating to the filling of a
3 vacancy in such offices; requiring appointment of a person of the same
4 political party as the incumbent; requiring senate confirmation of such
5 appointment; amending K.S.A. 25-101b, 40-106 and 75-127 and
6 repealing the existing 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
36 elected and qualified. *If the commissioner of insurance elected at the*

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

10 Sec. 3. K.S.A. 75-127 is hereby amended to read as follows: 75-127.

11 (a) Whenever the lieutenant governor is provided by law to be a member
12 or officer, or both, of any board, commission, council or other statutory
13 body, and the office of lieutenant governor is vacant, the president of the
14 senate shall be such member or officer, unless some other provision of law
15 provides to the contrary.

16 (b) *In case of vacancy in the office of lieutenant governor, the*
17 *governor shall appoint a suitable person to serve for the unexpired term*
18 *and until a successor is elected and qualified. Appointments by the*
19 *governor under this section shall be subject to confirmation by the senate*
20 *as provided in K.S.A. 75-4315b, and amendments thereto. Except as*
21 *provided by K.S.A. 46-2601, and amendments thereto, no person*
22 *appointed to the office of lieutenant governor shall exercise any power,*
23 *duty or function as lieutenant governor until confirmed by the senate.*

24 Sec. 4. K.S.A. 25-101b, 40-106 and 75-127 are hereby repealed.

25 Sec. 5. This act shall take effect and be in force from and after its
26 publication in the statute book.