



STATE OF KANSAS

March 7, 2025

Testimony on SB105 (Oral Neutral)

House Committee on Elections

Submitted: Wednesday, March 5, 2025

Chairman Proctor and members of the Committee:

SB105 has no effect on the operations of the Secretary of State, which provides this testimony solely to assist the committee in considering the bill. SB105 concerns: (1) the temporary replacement for a U.S. Senate vacancy and (2) the permanent replacement for a State Treasurer or Insurance Commissioner vacancy.

U.S. Senate Vacancies:

The Senate amended the original bill to incorporate the Secretary's recommendation, establishing a cut-off date to determine whether a vacancy would be filled in the next even-year general election or the following one.

If the vacancy occurs on or after May 1 in an even-numbered year, then such vacancy shall be filled by election at the election of representatives in congress held two years following the year in which such vacancy occurs.

The original bill contained the 1920s language requiring the vacancy be filled at the next even year general election regardless of when the vacancy occurred creating the possibility of, for instance, a mid-October vacancy required to be filled in two weeks, with no provision for primaries, mail and military ballots, etc.

Treasurer or Insurance Commissioner Vacancy:

Bill Section 5 retains the language that a new Treasurer is appointed "to serve for the unexpired term and until a successor is elected and qualified."

Bill Section 6 retains the language that a new Insurance Commissioner is appointed "to serve for the unexpired term and until a successor is elected and qualified."

As a result, if, for instance, a vacancy occurred in the first few months of the four-year term, then the Governor's appointee would complete the entire four-year term and not stand for a special election at the next even year general election.

SCOTT SCHWAB
Secretary of State



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General Comment:

The Secretary did not request but has no concern with the provisions requiring the Secretary to certify the temporary replacement for a U.S. Senator and the permanent replacement for a Treasurer and Insurance Commissioner.

Respectfully,

Clayton Barker

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STATE OF KANSAS

U.S. SENATE

Charles Curtis (R):

- Nov 1926: Won General Election
- Mar 1929: Resigned to become Vice-President (4 years left in term)
- Apr 1929: Henry Allen (R) Appointed (Apr 1929-Nov 1930)
- Nov 1930: Special Election: George McGill (D) (Nov 1930-Mar 1933)
- Nov 1932: General Election: George McGill (D)

Clyde Reed (R):

- Nov 1944: Won General Election
- Nov 1949: Died (1 year left in term)
- Dec 1949: Harry Darby (R) Appointed (Dec 1949-Nov 1950)
- Nov 1950: Special Election: Frank Carlson (Nov 1950-Jan 1951)
- Nov 1950: General Election: Frank Carlson (R)

Andrew Schoeppel (R):

- Nov 1960: Won General Election
- Jan 1962: Died (4 years left in term)
- Jan 1962: Appointed James Pearson (R) (Jan 1962-Nov 1962)
- Nov 1962: Special Election: James Pearson (Nov 1962-Jan 1967)
- Nov 1966: General Election: James Pearson (R)

Bob Dole (R):

- Nov 1992: Won General Election
- Jun 1996: Resigned to run for President (2(+) years left in term)
- Jun 1996: Shelia Frahm (R) Appointed (Jun 1996-Nov 1996)
- Nov 1996: Special Election: Sam Brownback (Nov 1996-Jan 1999)
- Nov 1998: General Election: Sam Brownback (R)

KANSAS TREASURER:

Sally Thompson (D):

- Nov 1994: General Election
- Feb 1998: Resigned (1 year left in term)
- Feb 1998: Governor appointed Clyde Graeber (R) (Feb 1998-Jan 1999)
- Nov 1998: Graeber did not run, Tim Shallenburger won

Lynn Jenkins (R):

- Nov 2006: General Election
- Jan 2009: Resigned – U.S. Congress (2 years left in term)
- Jan 2009: Governor appointed Denis McKinney (D) (Jan 2009-Jan 2011)

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Ron Estes (R):

- Nov 2014: General Election
- Jan 2017: Resigned – Congress (2 years left in term)
- Jan 2017: Governor appointed Jake LaTurner (R) (Jan 2017-Jan 2019)

Jake LaTurner (R):

- Nov 2018: General Election
- Jan 2021: Resigned – Congress (2 years left in term)
- Jan 2021: Governor appointed Lynn Rogers (D) (Jan 2021-Jan 2023)

INSURANCE COMMISSIONER:

None