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### State and Local Government

#### J-6 Senate Confirmation Process

State law in Kansas requires that certain appointments by the Governor or other state officials be confirmed by the Senate prior to the appointee exercising any power, duty, or function of the office. If a majority of the Senate votes on the question of confirmation of an appointment to an office and the appointment is not confirmed, the office shall become vacant at that time (KSA 75-4315b).

When the Senate is not in session, the Senate Committee on Confirmation Oversight (Committee) reviews appointments and makes recommendations related to the appointments to the full Senate.

The Committee has six members with proportional representation from the two major political parties (KSA 2018 Supp. 46-2601). One of the members of the Committee is the Majority Leader of the Senate, or the Majority Leader's designee, who serves as chairperson. The Minority Leader of the Senate, or the Minority Leader's designee, serves as vice-chairperson.

If a vacancy occurs in an office or in the membership of a board, commission, council, committee, authority, or other governmental body and the appointment to fill the vacancy is subject to confirmation by the Senate, the Committee may authorize, by a majority vote, the person appointed to fill the vacancy to exercise the powers, duties, and functions of the office until the appointment is confirmed by the Senate.

A list of those positions subject to Senate confirmation is included on the following pages, along with tables outlining the confirmation process for gubernatorial appointees and non-gubernatorial appointees.

#### Acting State Officers

State law provides that the Governor and other appointing authorities may appoint an acting state officer to certain positions (including department secretaries) to serve for a period not greater than six months, during which the acting state officer shall have and exercise all of the powers, duties, and functions of the office in which he or she is acting (KSA 2018 Supp. 75-4315a).

**Alphabetical List of Appointments  
Subject to Senate Confirmation**

- Adjutant General
- Administration, Secretary
- Aging and Disability Services, Secretary
- Agriculture, Secretary
- Alcoholic Beverage Control, Director
- Bank Commissioner
- Banking Board
- Board of Tax Appeals, Members and Chief Hearing Officer
- Central Interstate Low-Level Radioactive Waste Commission
- Children and Families, Secretary
- Civil Service Board
- Commerce, Secretary
- Corporation Commission
- Corrections, Secretary
- Court of Appeals, Judge
- Credit Union Administrator
- Crime Victims Compensation Board
- Employment Security, Board of Review
- Export Loan Guarantee Committee
- Fire Marshal
- Gaming Agency, Executive Director
- Healing Arts, Executive Director of State Board
- Health and Environment, Office of Inspector General
- Health and Environment, Secretary
- Highway Patrol, Superintendent
- Historical Society, Executive Director
- Hospital Authority, University of Kansas
- Human Rights Commission
- Indigents' Defense Services, State Board
- Kansas Bureau of Investigation, Director
- Kansas City Area Transportation District
- Kansas Development Finance Authority, Board of Directors
- Kansas National Guard, General Officers
- Labor, Secretary
- Librarian, State
- Long-Term Care Ombudsman
- Lottery Commission
- Lottery Commission, Executive Director
- Mo-Kan Metropolitan Development District and Agency Compact
- Pooled Money Investment Board
- Property Valuation, Director
- Public Employee Relations Board
- Public Employees Retirement System Board of Trustees
- Racing and Gaming Commission
- Racing and Gaming Commission, Executive Director
- Regents, State Board
- Revenue, Secretary
- Securities Commissioner
- Transportation, Secretary
- Veterans' Affairs Office, Commission on, Director
- Water Authority, Chairperson
- Water Office, Director
- Wildlife, Parks and Tourism, Secretary

<b>Senate Confirmation Process: Gubernatorial Appointments</b>	
Step 1	The Governor appoints an individual to a vacancy requiring Senate confirmation.
Step 2	The Governor's Office collects completed copies of the appointee's nomination form, statement of substantial interest, tax information, and background investigation, including fingerprints.
Step 3	The Governor's Office submits completed copies of the appointee's nomination form and statement of substantial interest to the Kansas Legislative Research Department (KLRD) <i>via</i> the chairperson of the Committee.
Step 4	KLRD and Revisor of Statutes staff review the file for completeness.
Step 5	If the file is complete, KLRD staff informs the chairperson of the Committee that the file is available for review.
Step 6	The appointment is considered by the Committee (during Session, the appointment may be considered by an appropriate subject-matter committee).
Step 7	If the Committee votes to recommend and authorize the appointee, the appointee may exercise the powers, duties, and functions of the office until the full Senate votes on confirmation.
Step 8	The full Senate votes on confirmation during the next Session (or current if Session is underway).

<b>Senate Confirmation Process: Non-gubernatorial Appointments</b>	
Step 1	The chairperson of the Committee is notified by the appointing authority that an appointment has been made requiring Senate confirmation.
Step 2	The appointing authority submits completed copies of the appointee's nomination form, statement of substantial interest, tax information release form, and written request for a background investigation to the KLRD <i>via</i> the chairperson of the Committee.
Step 3	The Director of Legislative Research submits a written request to the Kansas Bureau of Investigation (KBI) for a background check, including fingerprints. The Director also submits a request to the Department of Revenue to release the appointee's tax information.
Step 4	KBI and Department of Revenue officials complete the background and tax investigations. The information is sent to KLRD.
Step 5	The Director of Legislative Research informs the appointing authority and appointee the file is complete and available for review.
Step 6	The appointing authority and appointee may exercise the option to review the information and decide whether to proceed with the nomination.
Step 7	If the appointing authority and nominee decide to proceed with the nomination, the Director of Legislative Research informs the chairperson and vice-chairperson of the Committee the file is available for review.
Step 8	The appointment is considered by the Committee.
Step 9	If the Committee votes to recommend and authorize the appointee, the appointee may exercise the powers, duties, and functions of the office until the full Senate votes on confirmation.
Step 10	The full Senate votes on confirmation during the next Session (or current if Session is underway).

For more information, please contact:

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