GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

JEREMIAH W. (JAY) NIXON
GOVERNOR

P.O. Box 720
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July 8, 2011

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, entitled:

AN ACT

To repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 52.010, 54.033, 54.330, 78.090, 105.030, 105.040, 105.050, 115.015, 115.123, 115.124, 115.127, 115.241, 115.293, 115.342, 115.601, 115.637, 115.755, and 115.761, RSMo, and to enact in lieu thereof twenty-three new sections relating to elections, with penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 contains several provisions relating to elections. Those provisions include the moving of the Missouri presidential primary to the first Tuesday after the first Monday in March. I support that change and its inclusion in Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was not a factor in my decision to disapprove this legislation. However, the bill contains other provisions that I view as unacceptable and necessitating today's action.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 cancels elections in more than 900 municipalities with a population below 35,000 when the number of candidates is equal to the number of positions to be filled. Approval of Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 would preclude citizens from electing a candidate through the write-in process when the number of declared candidates is equal to the number of available positions. This is especially important should voters learn something negative about the declared candidate after the deadline for filing but before the election. In short, the write-in ballot procedure is a valuable component of the electoral process that must not be sacrificed for theoretical efficiency.

Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 would also require the Governor to call a special election to complete the current term of a vacancy occurring in the offices of U.S. Senator and several statewide elected offices. This provision would require a special election to be called, regardless of the time remaining before the next regularly scheduled election for that office, at an estimated cost to Missouri taxpayers of $7 million.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 without my approval.

Respectfully submitted,

Jeremiah W. (Jay) Nixon
Governor