



GOVERNOR OF MISSOURI

JEFFERSON CITY
65102

JEREMIAH W. (JAY) NIXON
GOVERNOR

P.O. Box 720
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July 2, 2014

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 entitled:

AN ACT

To repeal section 115.124, RSMo, and to enact in lieu thereof two new sections relating to nonpartisan elections.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 593. My reasons for disapproval are as follows:

Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 would authorize municipalities with 1,000 or fewer residents to cancel an election if the number of candidates that initially filed for office is equal to the number of vacancies to be filled for the office. To take advantage of this authority, the municipality's voters must approve a ballot measure and then renew the authority by a public vote every six years.

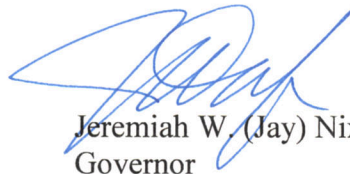
Like legislation I have vetoed in the past, Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 would limit the rights of Missouri citizens to support write-in candidates and therefore does not receive my approval. The previously-vetoed Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 (2011) contained a provision cancelling elections in municipalities with populations of less than 35,000, which would have affected more than 900 Missouri municipalities. My veto message pointed out that cancelling an election when the number of candidates is equal to the number of available positions would preclude citizens from electing a candidate through the write-in process, which is particularly important when voters learn something negative about the declared candidate after the deadline for filing but before the election.

Although somewhat improved by virtue of the public vote to authorize and reauthorize the option to cancel elections, Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 contains the same infirmity presented by Conference Committee Substitute for

House Committee Substitute for Senate Bill No. 282 (2011) with respect to write-in candidates. Write-in candidates do not have to file until the Wednesday before the election, but they would no longer be able to do so in the more than 650 Missouri municipalities affected by this bill, even if negative information about the unopposed candidate came to light prior to the election but after regular candidate filing had closed. Moreover, the small municipalities covered by this provision are precisely the communities in which write-in candidates are the most likely to succeed. Because I support the rights of citizens to elect write-in candidates I do not support this bill.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 593 without my approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jay Nixon", is written over the printed name and title.

Jeremiah W. (Jay) Nixon
Governor