

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 108

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DINKINS.

5044H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 40(a) and 40(b) of Article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2020, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article IV of the Constitution of the state of Missouri:

Section A. Sections 40(a) and 40(b), Article IV, Constitution of Missouri, are repealed and one new section adopted in lieu thereof, to be known as Section 40(a), to read as follows:

Section 40(a). **1.** The control, management, restoration, conservation, and regulation of the bird, fish, game, forestry, and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations, and all other property owned, acquired, or used for such purposes and the acquisition and establishment thereof, and the administration of all laws pertaining thereto, shall be vested in a conservation commission ~~[consisting]~~ **appointed or elected as provided in this section.**

2. Until the election of eight members and the appointment of one member under subsection 3 of this section, the commission shall consist of four members appointed by the governor, by and with the advice and consent of the senate, not more than two of whom shall be

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 of the same political party. The members shall have knowledge of and interest in wildlife
11 conservation. The members shall hold office for terms of six years beginning on the first day of
12 July of consecutive odd years. Two of the terms shall be concurrent; one shall begin two years
13 before and one two years after the concurrent terms.

14 **3. (1) Beginning on January 1, 2023, members of the conservation commission shall**
15 **be elected and appointed as provided in this subsection. Commission members shall be**
16 **nonpartisan and shall have knowledge of and interest in wildlife conservation.**

17 **(2) (a) The conservation commission shall consist of nine members. Eight members**
18 **shall be elected on the state general election day, as defined by state law, immediately**
19 **preceding the member's term. One member shall be appointed by the governor with the**
20 **advice and consent of the senate. The eight elected members shall represent the**
21 **conservation regions established by the department of conservation as such regions existed**
22 **on January 1, 2020. Each elected member shall represent one conservation region, reside**
23 **in such region, and be elected by the qualified voters residing in such region. Elections for**
24 **such members shall be conducted as provided by law.**

25 **(b) a. The eight members initially elected under this subsection shall be elected on**
26 **the general election day in November 2022. The members representing the Northwest,**
27 **Central, and Southeast regions shall serve an initial term of two years; the members**
28 **representing the Northeast, Kansas City, and Ozark regions shall serve an initial term of**
29 **four years; and the members representing the St. Louis and Southwest regions shall serve**
30 **an initial term of six years.**

31 **b. The member initially appointed by the governor under this subsection shall be**
32 **appointed and confirmed by the senate before January 1, 2023, to serve an initial term of**
33 **six years.**

34 **(c) After the expiration of an initial term as provided in this subsection, each**
35 **commissioner shall serve a term of six years until a successor is elected or appointed and**
36 **qualified.**

37 **(3) Except in the case of an appointment by the governor to fill a vacancy, each**
38 **member shall take office on January 1 of the year following the member's election or**
39 **appointment.**

40 **(4) If any member's office becomes vacant for any reason, the governor shall**
41 **appoint a member to fill the vacancy for the remainder of the unexpired term. If the**
42 **governor fails to fill a vacancy within thirty days, the remaining members shall fill the vacancy**
43 **for the unexpired term.**

44 4. The members shall receive no salary or other compensation for their services as
45 members, but shall receive their necessary traveling and other expenses incurred while actually
46 engaged in the discharge of their official duties.

2 ~~[Section 40(b). The members of the present conservation commission~~
3 ~~shall serve out the terms for which they were appointed, with all their powers and~~
 ~~duties.]~~

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