

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 90

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HARBISON.

2902H.021

JOSEPH ENGLER, 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
2 following the first Monday in November, 2026, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to Article IV of the Constitution of the state
5 of Missouri:

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2 repealed and one new section adopted in lieu thereof, to be known as Section 40(a), to read as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

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

7 **2.** **Until the election of eight members under subsection 3 of this section, the**
8 **commission shall consist** of four members appointed by the governor, by and with the advice

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.

9 and consent of the senate, not more than two of whom shall be of the same political party.
10 The members shall have knowledge of and interest in wildlife conservation. The members
11 shall hold office for terms of six years beginning on the first day of July of consecutive odd
12 years. Two of the terms shall be concurrent; one shall begin two years before and one two
13 years after the concurrent terms.

14 **3. (1) Beginning on January 1, 2029, members of the conservation commission**
15 **shall be elected 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 eight members. Such**
18 **members shall be elected on the state general election day, as defined by state law,**
19 **immediately preceding the members' terms. Such members shall represent the**
20 **congressional districts as such districts exist on January 1, 2027. Each member shall**
21 **represent one congressional district, reside in such district, and be elected by the**
22 **qualified voters residing in such district. Elections for such members shall be conducted**
23 **as provided by law.**

24 **(b) The members initially elected under this subsection shall be elected on the**
25 **general election day in November 2028. The members representing the first, second,**
26 **and seventh districts shall serve an initial term of two years; the members representing**
27 **the third, fourth, and fifth districts shall serve an initial term of four years; and the**
28 **members representing the sixth and eighth districts shall serve an initial term of six**
29 **years.**

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

33 **(3) Except in the case of an appointment by the governor to fill a vacancy, each**
34 **member shall take office on January first of the year following the member's election.**

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

39 **4. The members shall receive no salary or other compensation for their services as**
40 **members, but shall receive their necessary traveling and other expenses incurred while**
41 **actually 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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