

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE JOINT RESOLUTION NO. 55

101ST GENERAL ASSEMBLY

2291H.02C

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, 2022, 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Section A. Sections 40(a) and 40(b), Article IV, Constitution of Missouri, are repealed and one new section adopted in lieu thereof, to be known as Section 40(a), to read as follows: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 as provided in this section.**

2. Until the appointment of the nine members 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 of the same political party. The members shall have knowledge of and interest in wildlife conservation. The members shall hold office for terms of six years beginning on the first day of July of consecutive odd years. Two of

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.

12 the terms shall be concurrent; one shall begin two years before and one two years after the
13 concurrent terms.

14 **3. (1) Beginning on January 1, 2025, members of the conservation commission shall**
15 **be appointed as provided in this subsection. Commission members shall be nonpartisan**
16 **and shall have knowledge of and interest in wildlife conservation.**

17 **(2) (a) The conservation commission shall consist of nine members appointed by**
18 **the governor with the advice and consent of the senate.**

19 **(b) a. Eight members of the commission shall represent the eight conservation**
20 **regions established by the department of conservation, as such regions existed on January**
21 **1, 2020. The eight members shall be appointed as provided in this paragraph. First, the**
22 **speaker of the house of representatives shall accept applications from all persons interested**
23 **in serving on the commission. The speaker shall then refer all such applications received**
24 **to a committee of the house of representatives that shall be established and convened for**
25 **the sole purpose of reviewing such applications and making recommendations thereon.**
26 **The committee shall consist of eight members of the house of representatives, one member**
27 **from each of the eight conservation regions. The committee shall select up to five**
28 **applicants from each of the eight conservation regions and shall refer such applicants to**
29 **the governor of this state for consideration. The governor shall appoint, from such**
30 **selections, one applicant to represent each of the eight conservation regions on the**
31 **commission.**

32 **b. The eight regional members initially appointed under this subsection shall be**
33 **appointed before January 1, 2025. The members representing the Northwest, Central, and**
34 **Southeast regions shall serve an initial term of two years; the members representing the**
35 **Northeast, Kansas City, and Ozark regions shall serve an initial term of four years; and**
36 **the members representing the St. Louis and Southwest regions shall serve an initial term**
37 **of six years.**

38 **(c) a. The ninth member of the commission shall be appointed by the governor and**
39 **shall represent the state as a whole.**

40 **b. The member initially appointed by the governor under this paragraph shall be**
41 **appointed and confirmed by the senate before January 1, 2025, to serve an initial term of**
42 **six years.**

43 **(d) After the expiration of an initial term as provided in this subsection, each**
44 **commissioner shall serve a term of six years until a successor is appointed and qualified.**

45 **(3) If any member's office becomes vacant for any reason, the governor shall**
46 **appoint a member to fill the vacancy for the remainder of the unexpired term. If the**

47 governor fails to fill a vacancy within thirty days, the remaining members shall fill the vacancy
48 for the unexpired term.

49 **4.** The members shall receive no salary or other compensation for their services as
50 members, but shall receive their necessary traveling and other expenses incurred while actually
51 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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