

1 AN ACT relating to the Department of Fish and Wildlife Resources Commission
2 and declaring an emergency.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 150.022 is amended to read as follows:

- 5 (1) The Department of Fish and Wildlife Resources Commission shall consist of nine
6 (9) members, one (1) from each commission district, as set out by the commissioner
7 with the approval of the commission, and not more than five (5) of the same
8 political party.
- 9 (2) The Governor shall appoint the members of the commission subject to confirmation
10 by the Senate as described in subsection (3) of this section. Each of the members
11 shall be appointed for a term ending on December 31 of the fourth calendar year
12 following his or her appointment. **A member whose reappointment is not**
13 **confirmed by the Senate while it is in session shall vacate his or her seat upon the**
14 **date of sine die adjournment of the session in which the confirmation was**
15 **declined. Otherwise,**~~except that~~ a member's term shall continue until his or her
16 successor is duly appointed and confirmed by the Senate, but no later than one (1)
17 year following the expiration of the member's term. If after one (1) year a successor
18 has not been duly appointed and confirmed by the Senate, the commissioner's seat
19 for that district shall be vacant until a successor is duly appointed and confirmed by
20 the Senate. A member shall serve no more than two (2) full terms, not including any
21 partial term that a member may additionally serve. A person who has been
22 convicted of a felony offense, in Kentucky or under the law of any other state, or
23 any other law of the United States shall not be eligible to serve on the commission.
- 24 (3) (a) Vacancies through the expiration of terms of the members of the commission
25 shall be filled by appointment by the Governor from a list of five (5) names
26 from each commission district, recommended and submitted by the sportsmen
27 of each respective district.

- 1 (b) When the term of a member expires, the commissioner shall call a meeting of
2 the sportsmen in that district not later than thirty (30) days prior to the
3 expiration of the member's term. Notice of the meeting shall be given by
4 publication pursuant to KRS Chapter 424.
- 5 (c) At the meeting, the sportsmen in attendance shall select and submit to the
6 Governor a list of five (5) residents and citizens of the district who have held
7 hunting and fishing licenses in Kentucky or another state for at least the
8 previous five (5) consecutive years, or who have been hunting and fishing in
9 the Commonwealth for the previous five (5) consecutive years while license-
10 exempt under KRS 150.170, and who are well informed on the subject of
11 wildlife conservation and restoration. Each sportsman may vote for one (1)
12 candidate only, and the list submitted to the Governor shall be made up of the
13 names of the five (5) candidates receiving the five (5) highest vote totals.
- 14 (d) The Governor shall appoint a successor to the member whose term has
15 expired no later than January 20 of the year following the year in which the
16 member's term expired.
- 17 (4) Upon appointment to the Department of Fish and Wildlife Resources Commission,
18 each commissioner shall execute a bond of one thousand dollars (\$1,000) in favor
19 of the Department of Fish and Wildlife Resources, the premium on this bond to be
20 paid out of department funds.
- 21 (5) In the event of vacancies other than by expiration, the Governor shall fill the
22 vacancy for the unexpired part of the term from the names remaining on the list
23 previously submitted for the district from which the vacancy arose. An appointee
24 chosen under this subsection shall not serve on the commission until duly
25 confirmed by the Senate.
- 26 (6) Each member of the commission shall take the constitutional oath of office.
- 27 (7) The Governor shall remove any member of the commission for cause under

1 subsection (2) of this section and may remove a member of the commission for
2 nonfeasance, neglect of duty, or misconduct in office; but shall first deliver to the
3 member a copy of all charges in writing and afford to him or her an opportunity for
4 an administrative hearing to be conducted in accordance with KRS Chapter 13B.

5 (8) Each member of the commission shall be entitled to reimbursement for actual and
6 necessary traveling and other expenses incurred by him or her in the discharge of
7 his or her official duties and to be paid from the game and fish fund.

8 (9) A majority of the commission shall constitute a quorum for the transaction of any
9 business, for the performance of any duty or for the exercise of any power vested in
10 the commission.

11 (10) The department shall have its principal office in Franklin County, and is authorized
12 to purchase all supplies, equipment, and printed forms and to issue any notices and
13 publications as the commissioner may deem necessary to carry out the provisions of
14 this chapter.

15 (11) The word "sportsman" as used in this section shall mean a resident hunter or
16 fisherman who has been licensed in Kentucky for each of the past two (2)
17 consecutive years.

18 ➔Section 2. Whereas it is critical to the administration of the Department of Fish
19 and Wildlife Resources that it is governed by a commission that does not have any
20 members whose reappointments have been declined by the Senate, an emergency is
21 declared to exist, and this Act takes effect upon its passage and approval by the Governor
22 or upon its otherwise becoming a law.