

FREE CONFERENCE COMMITTEE REPORT

The Free Conference Committee on **HB 10** has met as provided in the Rules of the House and Senate and hereby reports the following to be adopted:

_____ GA X SCS _____ HCS

For the above-referenced bill, with these amendments (if applicable):

Committee (list by chamber and number): SCA 1 ;

Floor (list by chamber and number): _____; and

The following Free Conference Committee action:

On page 14, line 2, and continuing to page 19, line 24, delete Sections 8 and 9 in their entirety and insert the following in lieu thereof:

"➔Section 8. KRS 150.022 is amended to read as follows:

(1) The Department of Fish and Wildlife Resources Commission shall consist of nine (9) members, one (1) from each commission district, as set out by the commissioner with the approval of the commission, and not more than five (5) of the same political party.

(2) (a) The Governor shall appoint the members of the commission subject to confirmation by the Senate as described in subsection (3) of this section. Each of the members shall be appointed for a term ending on December 31 of the fourth calendar year following his or her appointment.

(b) A member whose reappointment is not confirmed by the Senate while it is in session shall vacate his or her seat upon the date of sine die adjournment of the session in which the confirmation was declined. Otherwise, a member's term shall continue until his or her successor is duly appointed and confirmed by the Senate, but no later than one (1) year following the expiration of the member's term. If after one (1) year a successor has not been duly appointed and confirmed by the Senate, the commission

1 ~~member's~~~~commissioner's~~ seat for that district shall be vacant until a successor is
2 duly appointed and confirmed by the Senate.

3 (c) A member shall serve no more than two (2) full terms, not including any partial term
4 that a member may additionally serve. A person who has been convicted of a felony
5 offense, in Kentucky or under the law of any other state, or any other law of the
6 United States shall not be eligible to serve on the commission.

7 (3) (a) Vacancies through the expiration of terms of the members of the commission shall be
8 filled by appointment by the Governor from a list of five (5) names from each
9 commission district, recommended and submitted by the sportsmen or sportswomen
10 of each respective district.

11 (b) When the term of a member expires, the commissioner shall call a meeting of the
12 sportsmen and sportswomen in that district not later than thirty (30) days prior to the
13 expiration of the member's term. At least thirty (30) days before the meeting is
14 called, the commissioner shall provide notice of the location, date, and time of the
15 meeting. Notice of the meeting shall be given by publication pursuant to KRS
16 Chapter 424.

17 (c) At the meeting, the sportsmen or sportswomen in attendance shall select and submit
18 to the Governor a list of five (5) residents and citizens of the district who have held
19 hunting and fishing licenses in Kentucky or another state for at least the previous five
20 (5) consecutive years, or who have been hunting and fishing in the Commonwealth
21 for the previous five (5) consecutive years while license-exempt under KRS 150.170,
22 and ~~is~~~~who are~~ well informed on the subject of wildlife conservation and restoration.

23 (d) A person desiring to be a member of the commission shall, at least fifteen (15) days
24 prior to the meeting conducted in accordance with paragraph (c) of this subsection,
25 present to a representative of the department an affidavit, duly signed and sworn,
26 with accompanying documentation setting forth in detail how he or she complies
27 with the qualifications and requirements of this subsection. The department shall

1 *make a determination based off of the affidavit and documentation submitted by*
2 *the applicant whether he or she meets the qualifications and provide a list of the*
3 *qualified applicants to the commission before the meeting.*

4 (e) Each sportsman *or sportswoman* may vote for one (1) candidate only, and the list
5 submitted to the Governor shall be made up of the names of the five (5) candidates
6 receiving the five (5) highest vote totals.

7 ~~(f)(d)~~ The Governor shall appoint a successor to the member whose term has expired
8 no later than January 20 of the year following the year in which the member's term
9 expired.

10 (4) Upon appointment to the Department of Fish and Wildlife Resources Commission, each
11 *member of the commission*~~commissioner~~ shall execute a bond of one thousand dollars
12 (\$1,000) in favor of the Department of Fish and Wildlife Resources, the premium on this
13 bond to be paid out of department funds.

14 (5) In the event of vacancies other than by expiration, the Governor shall fill the vacancy for
15 the unexpired part of the term from the names remaining on the list previously submitted
16 for the district from which the vacancy arose. An appointee chosen under this subsection
17 shall not serve on the commission until duly confirmed by the Senate.

18 (6) Each member of the commission shall take the constitutional oath of office.

19 (7) The Governor shall remove any member of the commission for cause under subsection (2)
20 of this section and may remove a member of the commission for nonfeasance, neglect of
21 duty, or misconduct in office; but shall first deliver to the member a copy of all charges in
22 writing and afford to him or her an opportunity for an administrative hearing to be
23 conducted in accordance with KRS Chapter 13B.

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

27 (9) A majority of the commission shall constitute a quorum for the transaction of any business,

1 for the performance of any duty or for the exercise of any power vested in the commission.

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

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

9 →Section 9. KRS 150.061 is amended to read as follows:

10 (1) (a) Notwithstanding any provisions of KRS Chapter 18A, 42, 45, 45A, 56, or 64 to the
 11 contrary, the commission shall have the sole authority to appoint a commissioner of
 12 the Department of Fish and Wildlife Resources, who shall be a person with
 13 knowledge of and experience in the requirements for the protection, conservation,
 14 and restoration of the wildlife resources of the Commonwealth~~[state]~~.

15 (b) The commission shall be the sole contracting body for the purposes of KRS Chapter
 16 45A and shall submit any proposed personal service contract with a commissioner to
 17 the Government Contract Review Committee for its review pursuant to KRS 45A.690
 18 to 45A.725. The commissioner shall serve for a defined employment contract term
 19 not to exceed four (4) years and shall be subject to:

20 ~~1. (a)~~ Annual review by the commission in closed, executive session;

21 ~~2. (b)~~ Removal by the commission for the same cause and in the same manner in
 22 which the Governor may remove a member of the commission; and

23 ~~3. (c)~~ Reappointment by the commission; and

24 4. Confirmation by the Senate in accordance with KRS 11.160.

25 (2) The commissioner shall receive such compensation as the commission may solely
 26 determine, and shall be reimbursed for all actual and necessary travel and other expenses
 27 incurred by him or her in the performance of his or her official duties.

- 1 (3) Before entering upon the duties of his or her office, the commissioner shall take and
2 subscribe to the constitutional oath of office, and shall, in addition thereto, swear or affirm
3 that he or she holds no other public office, nor any position upon or under any political
4 committee or party. Upon appointment by the commission, the commissioner shall execute
5 a bond of five thousand dollars (\$5,000) in favor of the Department of Fish and Wildlife
6 Resources, the premium on said bond to be paid out of department funds.
- 7 (4) Notwithstanding any provision of law to the contrary, the commissioner shall be the sole
8 appointing authority for the department for the purposes of KRS Chapter 18A and shall
9 have general supervision and control of all activities, functions, appointments, and
10 employees of the department. He or she shall enforce all provisions of the laws of the state
11 relating to wild animals, birds, fish and amphibians, and shall exercise all powers
12 necessarily incident thereto not specifically conferred on the commission. The
13 commissioner shall make an annual report of all receipts and disbursements and file same
14 with the Secretary of State of the Commonwealth of Kentucky.
- 15 (5) If federal or other grant funds become available to pay their salaries, the commissioner may
16 appoint and employ other persons that he or she may deem necessary or desirable to
17 accomplish the purposes of this chapter. The commissioner shall determine the
18 compensation, duties, and terms of employment of these employees, and grant funded,
19 time-limited positions shall be approved by the commission as needed. Employees whose
20 salaries are funded through federal or other grant funds shall not be counted in any tally of
21 permanent employees made for employee cap or budgetary purposes."

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Senate Members

House Members

Michael J Nemes
Michael J. Nemes

Jason Nemes
Jason Nemes

Robby Mills
Robby Mills

David Meade
David Meade

Keturah J. Herron
Keturah J. Herron

John Hodgson
John Hodgson

Erika Hancock
Erika Hancock

The above-named members, in separate votes by house, all concur in the provisions of this report.

DATE
April 1, 2026

For Clerk's Use:
Adopted: _____
Repassage Vote: _____