

Constitutional Amendment to Article IV, Relating to Big Game Hunting, 2018-188

Official ballot title certified by Secretary of State on May 5, 2017.

Do you want to amend the Missouri Constitution to:

- redefine hunting to exclude privately-owned big game (not fully domesticated hooved animals such as white-tailed deer, elk, moose, boar, and bighorn sheep) confined on preserves;
- prohibit transporting big game into or out of Missouri, except licensed confined big game preserves may export for one year, and public zoos, wildlife organizations or scientific research facilities may import and export indefinitely;
- make big game disease information available to the public; and
- give the Missouri Conservation Commission primary regulatory authority over privately-owned big game?

State governmental impact is unknown. Local governmental entities expect no costs or savings.

Be it resolved by the people of the state of Missouri that the Constitution be amended:

Article IV is amended by adding one new section to be known as Section 40(c), to read as follows:

40(c). 1. The provisions of Section 40(c) shall be known as the Native Missouri Wildlife Conservation Amendment, and its purpose is to prohibit the shipment or transportation of big game species to or from Missouri destinations. It shall be the public policy of this state to protect the health of Missouri's livestock and wildlife by changing the requirements related to the transport of captive big game species. Transport of big game species into and inside Missouri presents a significant threat to the safety, health and welfare of wildlife across Missouri due to the risk of introducing disease. Confined big game killing or the owning, possessing, confining, transporting, breeding, or raising of privately owned big game species shall not be construed as hunting, farming or ranching for any purpose under this Constitution or any law.

2. Upon the effective date of this Amendment the delivery, receipt, shipping, or transportation of any big game species to or from any destination within Missouri shall be prohibited. The only exceptions to this general prohibition are as follows:

a. Prior to and on November 7, 2019, a Missouri facility legally confining big game species with all required permits in place on November 6, 2018, and which continuously maintains all required permits, may deliver, ship or transport any big game species for which such facility maintains such permits, and any person engaged in the shipping to or from any such excepted facility however the shipping of such big game species into Missouri shall not be permitted under this exception;

b. When such big game species are being transported to or from any facility and will be held under the authority of the Missouri Conservation Commission or under the supervision of an authorized representative of: governmentally owned zoos or wildlife or research organizations; American Zoo and Aquariums Association accredited not-for-profit facilities; nationally accredited universities, colleges or, schools; incorporated cities, states or federal agencies for scientific research;

c. When such big game species are transported through Missouri in compliance with federal regulations, with both origin and destination outside of Missouri;

d. When such big game species are transported to any commercial slaughter facility operating under state or federal inspection for commercial meat production; or

e. When such big game species are transported, for treatment of illness or injury, between a veterinary facility and a facility authorized to possess privately owned big game species under this Amendment.

3. In addition to the authority vested in it by Section 40(a) of Article IV, the Missouri Conservation Commission shall have primary authority over the regulation of privately-owned big game species. The Missouri Conservation Commission may make such rules and regulations as may be deemed necessary for the enforcement of this Amendment.

4. Information or data in either paper or electronic form regarding any voluntary or mandatory program related to diseases of big game species shall be considered a public record and subject to disclosure except as or expressly permitted or required to be closed by federal law or this constitution.

5. Definitions.

a. "Big game species" as used in this amendment shall not include any livestock as defined in this Amendment, and shall include all of the following animals, either as live animals, embryos, ova, or semen: (a) all cervids and cervid hybrids including but not limited to white-tailed deer, elk, mule deer, red deer, fallow deer, sika deer and moose; (b) mountain goats, bighorn sheep, Dall's sheep, pronghorn, peccary, and javelina; and (c) any other ungulate (hooved animal) confined or bred primarily for confined big game killing and not for commercial meat production or other human use.

b. "Confined big game killing" as used in this amendment shall mean an act in which an owner, operator or agent of a big game preserve permits, allows, enables or facilitates the killing or attempted killing of big game species inside a big game preserve, but shall not include any act of a government employee or agent to control an animal population, to prevent or control diseases, or when government action is otherwise required or authorized by law.

c. "Livestock" as used in this Amendment, shall mean cattle, fully domesticated swine, fully domesticated sheep, fully domesticated goats, fully domesticated bison, fully domesticated ratite birds, fully domesticated rabbits, and fully domesticated horses, donkeys, mules, alpacas and llamas, where such fully domesticated animals are raised primarily for human use or consumption not including confined big game killing. Livestock shall also include embryos, ova, and semen of any designated animal in this definition.

d. "Big game preserve" as used in this amendment shall mean a facility confining privately-owned big game species within fencing designed or intended to reduce the ability of such privately-owned big game species to escape or to evade pursuit.