



Montana Legislative Services Division
Office of Research and Policy Analysis
 David D. Bohyer, Director

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TO: Sen. Joe Balyeat
 Members of the Senate State Administration Committee
 FROM: Dave Bohyer *Dave*
 RE: Fish, Wildlife, and Parks Commission appointments

Issue Summary

Sen. Balyeat has asked me to provide information regarding the Fish, Wildlife, and Parks Commission. In response, I have addressed the Commission in the following pages.

Fish, Wildlife, and Parks Commission

The Fish, Wildlife, and Parks Commission is provided for in section 2-15-3402, MCA. It is a 5-member board. At least one member must be experienced in the breeding and management of domestic livestock. The Commission is designated as a quasi-judicial board, pursuant to 2-15-124, MCA, and, as such, three members of the board serve terms concurrent with the governor and two members serve terms that begin and end at the midpoint of the governor's term.

2-15-3402. Fish, wildlife, and parks commission -- composition -- qualifications -- quasi-judicial. (1) There is a fish, wildlife, and parks commission.

(2) The commission consists of five members. At least one member must be experienced in the breeding and management of domestic livestock. The governor shall appoint one member from each of the following districts:

(a) District No. 1, consisting of Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Ravalli, Granite, and Lewis and Clark Counties;

(b) District No. 2, consisting of Deer Lodge, Silver Bow, Beaverhead, Madison, Jefferson, Broadwater, Gallatin, Park, and Sweet Grass Counties;

(c) District No. 3, consisting of Glacier, Toole, Liberty, Hill, Pondera, Teton, Chouteau, Cascade, Judith Basin, Fergus, Blaine, Meagher, and Wheatland Counties;

(d) District No. 4, consisting of Phillips, Valley, Daniels, Sheridan, Roosevelt, Petroleum, Garfield, McCone, Richland, Dawson, and Wibaux Counties;

(e) District No. 5, consisting of Golden Valley, Musselshell, Stillwater, Carbon, Yellowstone, Big Horn, Treasure, Rosebud, Custer, Powder River, Cartér, Fallon, and Prairie Counties.

(3) Appointments must be made without regard to political affiliation and must be made solely for the wise management of the fish, wildlife, and state parks and other outdoor recreational resources of this state. A person may not be appointed to the commission unless he is informed or interested and experienced in the subject of wildlife, fish, parks, and outdoor recreation and the requirements for the conservation and protection of wildlife, fish, parks, and outdoor recreational resources.

(4) A vacancy occurring on the commission must be filled by the governor in the same manner and from the district in which the vacancy occurs.

(5) The fish, wildlife, and parks commission is designated as a quasi-judicial board for purposes of 2-15-124. Notwithstanding the provisions of 2-15-124(1), the governor is not required to appoint an attorney to serve as a member of the commission.

The members of the Fish, Wildlife, and Parks Commission and the term and qualifications, if any, is included in Table 1 on the following page.

Table 1			
Fish, Wildlife, and Parks Commission			
Member Name	Term Ends	MCA Qualification	Address
Tim Mulligan	January 1, 2007	District 2	Whitehall
John Brendan	January 1, 2007	District 4	Scobey
Steve Doherty	January 1, 2009	District 3	Great Falls
Vic Workman	January 1, 2009	District 1	Whitefish
Shane Colton	January 1, 2009	Dist. 5; domestic livestock	Billings

I believe this information responds to your inquiry. I am available to provide additional information upon request. Respectfully submitted.