

HOUSE BILL NO. 439  
INTRODUCED BY P. CLARK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE QUALIFICATIONS OF THE MEMBERS OF THE FISH, WILDLIFE, AND PARKS COMMISSION; AMENDING SECTION 2-15-3402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 2-15-3402, MCA, is amended to read:

**"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 the following five members:

(a) one member who possesses experience in fisheries biology or 5 years of active fish management experience;

(b) one member who possesses experience in wildlife biology or 5 years of active wildlife management experience;

(c) one member who represents the general public hunting and fishing community, possesses a minimum of 5 years of active involvement in promoting the public's interest in hunting and fishing in Montana, and has no commercial interest in wildlife management;

(d) ~~At least one~~ one member ~~must be~~ who is experienced in the breeding and management of domestic livestock or is a major landowner with habitat capable of sustaining fish or game; and

(e) one member who is a licensed attorney with experience related to management of public natural resources.

(3) 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, Carter, Fallon, and Prairie Counties.

~~(3)~~(4) 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~~ that person 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)~~(5) 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)~~(6) 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."~~

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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