

SENATE BILL NO. 306

INTRODUCED BY M. LANG

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP OF THE FISH AND WILDLIFE COMMISSION; PROVIDING TRANSITION PROVISIONS FOR APPOINTMENTS TO THE COMMISSION; AMENDING SECTION 2-15-3402, MCA; AND PROVIDING A DELAYED 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 and wildlife commission. (1) There is a fish and wildlife commission.

(2) (a) ~~The commission consists of five seven members. At least one member must be experienced in the breeding and management of domestic livestock.~~ The governor shall appoint one member ~~from~~ for 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.~~ administrative regions of the department of fish, wildlife, and parks that are headquartered in the following locations:

(i) Kalispell;

(ii) Missoula;

(iii) Bozeman;

1 (iv) Great Falls;

2 (v) Billings;

3 (vi) Glasgow; and

4 (vii) Miles City.

5 (b) (i) To be eligible to serve on the commission, the member must reside in the administrative region
6 the member will represent or within 10 air miles of the region's boundary as it exists on the date the member is
7 appointed.

8 (ii) If the commission adjusts a region's boundary after a member is appointed so that the member no
9 longer meets the requirements of subsection (2)(b)(i), the member may continue to represent the region until
10 the member's current term expires.

11 (3) Appointments must be made without regard to political affiliation and must be made solely for the
12 wise management of fish, wildlife, and related recreational resources of this state. A person may not be
13 appointed to the commission unless the person is a resident as defined in 87-2-102 and is informed or
14 interested and experienced in the subject of fish, wildlife, and recreation and the requirements for the
15 conservation and protection of fish, wildlife, and recreational resources. At least ~~four~~ two ~~TWO~~ THREE of the members
16 must also be landowners engaged in agricultural production. For the purposes of this section "agricultural
17 production" means:

18 (a) all aspects of farming, including the cultivation and tillage of the soil;

19 (b) the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities;

20 (c) the raising of livestock as defined in 15-24-921 or fur-bearing animals; and

21 (d) any practices, including forestry or lumbering operations, performed by a farmer or on a farm as
22 an incident to or in conjunction with farming operations, including preparation for market or delivery to storage,
23 to market, or to carriers for transportation to market.

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

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

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2 NEW SECTION. **Section 2. Transition of commission members.** (1) The governor shall appoint

3 seven commissioners beginning January 1, 2022. The initial commission appointments must include:

4 (a) four commissioners appointed to a 3-year term; and

5 (b) three commissioners appointed to a 1-year term.

6 (2) After the expiration of each initial appointment, the governor shall appoint commissioners to 4-year

7 terms in accordance with 2-15-124(2).

9 NEW SECTION. **Section 3. Effective date.** [This act] is effective January 1, 2022.

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