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The Hiring, Firing, and Distribution of Western State Game & Fish Commission Members

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Recent Wildlife Commissioner Changes Throughout The West:

2013:

A Washington Fish and Wildlife commissioner, David Jennings, was removed due to lack of confirmation by the legislature when the governor appointed him in 2009.

2015:

The Alaska Board of Fisheries did not give a candidate, who the governor thought was more than qualifies, an interview. The governor suspected that the vote was planned and in turn decided to not reinstate the Board of Fisheries member, Karl Johnstone later that year.

2018:

The Idaho governor asked a Fish and Game commissioner, Blake Fischer, to resign after public uproar over photos of him trophy hunting a family of baboons went viral.

2019:

In March, New Mexico Governor Grisham asked the entire game and fish commission to resign. She took office in January and decided that she wanted her own appointees.

In April, the Oregon senate rejected a Fish and Wildlife nomination made by the governor for an outspoken trophy hunter because they felt it contradicted current conservation initiatives.

Research Questions:

1. How many commission members does each Western state have, and how long are they appointed?
2. How are wildlife commission members appointed in each Western state?
3. Do governors have the power to remove commission members?
4. How is it ensured that wildlife commissions are adequately representing their state?

Key Findings:

1. The average commission has 8 members, and the average term length is 4 years.
2. In every Western state the governor appoints the wildlife commission members.
3. With an exception of Washington and Nevada, governors can remove commission members.
4. There are four main ways a state ensures a commission represents the population:
 - A. Quota for members with certain experience or expertise.
 - B. Limits for how many members can be from the same political party on one commission.
 - C. Requiring or restricting how many members can or must be from a geographic region.
 - D. Distributing members based on population.
5. Two Western states have requirements for a number non-hunting/fishing commission members.

Size of Commissions and Term Length of Commissioners:

The size of Western wildlife commissions varies from 5 to 14 members, but the average has 8 members. Alaska has the largest commission with 14, however, their commission is split into a Board of Game and a Board of Fisheries with 7 commissioners on each.

The term length of the commissioners varies from 3 to 6 years, and the average is 4 years.

	Commission Size	Term Length
Alaska	14	3
Arizona	5	5
Colorado	13	4
Idaho	7	4
Montana	5	4
Nevada	9	3
New Mexico	7	4
Oregon	7	4
Utah	7	6
Washington	9	6
Wyoming	8	6
AVERAGE	8.27	4.45

Appointment and Removal of Commission Members:

In all of the Western states, the wildlife commission members are appointed by the governor. Nominations may be sent in, but the final decision is left with the governor. Then, with the exception of Alaska, where there is a joint vote by the legislature, the governor's selections may be appointed with consent of the senate. This process is not just a matter of checking the box. Just this year in Oregon, Governor Brown had an appointee rejected by the senate after much public outcry that the nominee would be counterproductive to current conservation initiatives.

In every Western state except for Washington, and Nevada, the governor has the power to remove members of the commission. In Washington, the legislature has authority over the commission. Many

states describe the commission to be “serving at the pleasure of the governor.” This is how New Mexico’s Governor Grisham was able to call for the entire commission to step down after she took office. Although, some states may have requirements that must be met for a removal to take place, they are supplemented with broad terms like “inefficiency,” or “sufficient cause,” that allows the governor to remove members as they please.

Commissioner Experience Requirements:

Each Western state has some sort of experience or knowledge requirement for members of its commission. However, some only have a general knowledge or experience requirement, some have specific experience requirements, and a some have both sets of requirements for its members of the commission.

1. **General Knowledge or Experience Requirements-** These requirements are generally broad and difficult to measure, which questions how effective they actually are.

Example- Montana: *“A person may not be appointed to the commission unless the person is informed or interested and experienced in the subject of fish, wildlife, and recreation and the requirements for the conservation and protection of fish, wildlife, and recreational resources.”*

2. **Specific Knowledge or Experience Requirements-** These requirements may vary in specificity, however, they allow a framework for the composition of the commission and allows for some consistency with the appointment of new members.

Example- Nevada: *“Governor shall appoint to the Commission:*

- a. *One member who is actively engaged in and possesses experience and expertise in advocating issues relating to conservation;*
- b. *One member who is actively engaged in farming;*
- c. *One member who is actively engaged in ranching;*
- d. *One member who represents the interests of the general public; and*
- e. *Five members who during at least 3 of the 4 years immediately preceding their appointment held a resident license to fish or hunt, or both, in Nevada.”*

Experience Requirements

	General Experience Requirements	Specific Experience Requirements within the Commission
Alaska	x	
Arizona	x	x
Colorado	x	x

	General Experience Requirements	Specific Experience Requirements within the Commission
Idaho	x	
Montana	x	x
Nevada		x
New Mexico		x
Oregon	x	
Utah		x
Washington	x	
Wyoming	x	

Demographic Requirements/Restrictions:

With an exception of Alaska, each Western state has some sort of demographic requirement or restriction. The three main aspects that are regulated are: political affiliation, geography, and population.

1. **Political Affiliation-** Six Western states restrict how many commission members can be a part of the same political party.

Example- Idaho: *“Not more than four (4) of the members of said commission shall at any time belong to the same political party.”*

2. **Geography Requirements-** Six Western states require specific regions be represented by a commissioner from that area.

Example- Oregon: *“One member of the commission shall be appointed from each of the congressional districts of this state, one member from that portion of the state lying west of the Cascade Mountains and one member from that portion of the state lying east of the Cascade Mountains.”*

3. **Geography Restrictions-** Three Western states restrict the amount of commissioners that can be from a specific area.

Example- Arizona: *“...no two members may be residents of the same county.”*

4. **Population-** Nevada has a unique demographic regulation by limiting commission representation based on population.

Example- Nevada: *“Not more than three members may be from the same county whose population is 700,000 or more, not more than two members may be from the same county whose population is 100,000 or more but less than 700,000, and not more than one member may be from the same county whose population is less than 100,000.”*

Demographic Requirements

	Political Affiliation	Geography Requirements	Geography Restrictions	Population
Alaska				
Arizona	x		x	
Colorado	x			
Idaho	x	x		
Montana		x		
Nevada				x
New Mexico	x	x		
Oregon		x		
Utah	x		x	
Washington		x	x	
Wyoming	x	x		

Hunting and Non-hunting Member Quotas:

Arizona and Colorado have a requirement for a certain number of hunting/fishing and of non-hunting/fishing commission members.

Arizona: *“One member of the general public or one member of a nongame organization that is qualified pursuant to section 501(c)(3) or 501(c)(4) of the internal revenue code.”*

Colorado: *“One member appointed shall represent a nonprofit organization that supports and promotes the conservation and enhancement of Colorado's wildlife and habitat; recognizes and promotes primarily nonconsumptive wildlife use; and has expertise in wildlife issues, wildlife habitat, or wildlife management”*

The non-hunting/fishing member requirement is most interesting because when the original commissions were created, they were primarily made up of game wardens and were almost exclusively concerned with hunting and fishing. More Western states will likely begin adding this requirement as their states become more urbanized. Additionally, in one of Mountain Pursuit's earlier reports "Anti-Hunting Groups, Arguments and Tactics," gaining non-hunter representation in decision making is one of the main tactics of anti-hunting campaigns. This movement is not directly threatening to the future of hunting, but it also should not go unnoticed.

Further Research:

1. Monitor how the New Mexico Game and Fish Department changes with the completely new commission.
2. Watch for trends with other Western States adding non-hunting/fishing commission members, and governors removing commissioners more frequently.